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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rates of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

I. (a) PLAINTIFFS				DEFENDANTS		,.	767.	
ERIC STEINER, individ	hually and on behalf of all others similarly situated			CARRIER IQ, INC. A Delaware Corporation.				
(b) County of Residence of First Listed Plaintiff Monmouth County, N (EXCEPT IN U.S. PLAINTIFF CASES)		NJ	County of Residence of NOTE: IN LAND O LAND INV	(IN U.S. ONDEMN	ed Defendant PLAINTIFF CASES ATION CASES, USE T		OF THE	
(c) Attorney's (Firm Name	me, Address, and Telephone	: Number)		Attorneys (If Known)				•
KIESEL BOUCHER LAI 8648 Wilshire Boulevard Beverly Hills, California Telephone: (310) 854-444	90211		H	Hin) Land	1
II. BASIS OF JURISDI	CTION (Place an "X" in O	ng Box On	II. G	TTIZENSHIP OF P	yJ 🌤		Place an "X" in One and One Box for	
I U.S. Government Plaintiff	3 Federal Question (U.S. Government N	ot a Party)	C	itizen of This State	TF DEF	Incorporated or Princip of Business In Th	pai Place	PTT DI
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship o	f Parties in Item III)	C	itizen of Another State X 2	2	Incorporated and Princ of Business In An	-	5 🗀 :
THE ALL MINE OF CHIM	· · · · · · · · · · · · · · · · · · ·		Ci	itizen or Subject of a 3 Foreign Country	3	Foreign Nation]6 🖂
IV. NATURE OF SUIT				TO DESCRIPTION OF THE PERSON O	35.7		1	· · · · · · · · · · · · · · · · · · ·
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excl. Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault, Libel &	PERSONAL INJ 362 Personal Injur Med. Malprac 365 Personal Injur Product Liabi 368 Asbestos Pers Injury Product Liability PERSONAL PROPI 370 Other Fraud 371 Truth in Lendi 380 Other Persona Property Dam Product Liabil PRISONER PETITIONS 510 Motions to Va Scntence Habeas Corpus: 530 General 535 Death Penalty 540 Mandamus & 550 Civil Rights 555 Prison Conditi	ctice ry — lility conal t ERTY ing lage lity S coate	FORFEITURE/PENALT 610 Agriculture 620 Other Food & Drug 625 Drug Related Seizure of Property 21 USC 8 630 Liquor Laws 640 R.R. & Truck 650 Airline Regs. 660 Occupational Safety/Health 690 Other LABOR 710 Fair Labor Standards Act Act Act Act Act 720 Labor/Mgmt. Relation 730 Labor/Mgmt. Reportin & Disclosure Act 740 Railway Labor Act 740 Railway Labor Act 790 Other Labor Litigation 791 Empl. Ret. Inc. Security Act IMMIGRATION 462 Naturalization Application 463 Habeas Corpus Alien Detainee 465 Other Immigration Actions	422	BANKRUPTCY Appeal 28 USC 158 Withdrawai 28 USC 157 PPERTY RIGHTS Copyrights Patent Trademark PLAL SECURITY HIA (1395ff) Black Lung (923) DIWC/DIWW (405(g)) SSID Title XVI RSI (405(g)) ERAL TAX SUITS Taxes (U.S. Plaintiff or Defendant) IRS—Third Party 26 USC 7609	400 State Re 410 Antitrus 430 Banks 430 Banks 450 Comma 460 Deporta 470 Rackete 460 Corrupt 480 Consum 490 Cable/S 810 Selectiv Exchan 12 USC 890 Other St 891 Agricult 892 Econom 893 Environ 895 Freedom Act 900 Appeal o Determine 900 Appeal o Determine 100 Banks 100 100 Bank	nd Banking ree tion or Influenced an Organizations er Credit at TV e Service es/Commodities/ge at the tion of Influenced at 100 at the tion of Information of Information of Fee institute of influence institute of information in the tion of Information of Inform
V. ORIGIN Proceeding Place an "X" 2 Remo	Court Appel	late Court	Reinsta Reope	Transferred 5 another distinct (specify)	rict [6 Multidistrict Litigation	7 Judge Magis Judge	strate
VI. CAUSE OF ACTION	N 28 USC 1332 Brief description of c	ause;		iling (Do not cite jurisdict)				f Privacy Ac
VII. REQUESTED IN COMPLAINT: VIII. RELATED CASE(S)	UNDER F.R.C.P. 2 PLEASE REFER	S A CLASS ACTIO 3 TO CIVIL L.R. 3-1	N	DEMAND \$		CHECK YES JURY DEMA	only if demand	
IF ANY IX. DIVISIONAL ASSIGNI	"NOTICE OF RE MENT (CIVIL L.R. 3-2	3 / 4					· · · · · · · · · · · · · · · · · · ·	
(PLACE AND "X" IN ONE	BOX ONLY)		SAN I	FRANCISCO/OAKLAN	D	SAN JOSE		
DATE December 1, 2011		SIGNATURE OF A	ATTORI	NEY OF RECORD POR	King	7	·	



INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

- III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity.

Example:
U.S. Civil Statute: 47 USC 553

Brief Description: Unauthorized reception of cable service

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.