

CIVIL COVER SHEET

JS 44 (Rev. 12/07) (CAND Rev 1/10)

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 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. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

I. (a) PLAINTIFFS: Sam Stoltenburg and Amber Westenberger, individually, and on behalf of all others similarly situated. DEFENDANTS: Carrier IQ, Inc.; LG Electronics U.S.A., Inc.; LG Electronics Mobilecomm U.S.A., Inc.; and LG Electronics Mobile Research U.S.A., LLC. (b) County of Residence of First Listed Plaintiff: Winnebago, WI. (c) Attorney's (Firm Name, Address, and Telephone Number): Daniel Low, Kotchen & Low LLP, 2300 M Street NW, Suite 800, Washington, DC 20037, (202) 841-7164. County of Residence of First Listed Defendant: Santa Clara, CA. NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. Attorneys (If Known): [Blank]. CV11-06160 PSG

II. BASIS OF JURISDICTION (Place an "X" in One Box Only): [X] 3 Federal Question (U.S. Government Not a Party). III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant): Citizen of This State: PTF [ ] 1, DEF [ ] 1. Incorporated or Principal Place of Business In This State: PTF [ ] 4, DEF [X] 4. Citizen of Another State: PTF [X] 2, DEF [ ] 2. Incorporated and Principal Place of Business In Another State: PTF [ ] 5, DEF [ ] 5. Citizen or Subject of a Foreign Country: PTF [ ] 3, DEF [ ] 3. Foreign Nation: PTF [ ] 6, DEF [ ] 6.

IV. NATURE OF SUIT (Place an "X" in One Box Only): CONTRACT: [ ] 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. CIVIL RIGHTS: [ ] 441 Voting, [ ] 442 Employment, [ ] 443 Housing/Accommodations, [ ] 444 Welfare, [ ] 445 Amer. w/Disabilities - Employment, [ ] 446 Amer. w/Disabilities - Other, [ ] 440 Other Civil Rights. PRISONER PETITIONS: [ ] 510 Motions to Vacate Sentence, Habeas Corpus: [ ] 530 General, [ ] 535 Death Penalty, [ ] 540 Mandamus & Other, [ ] 550 Civil Rights, [ ] 555 Prison Condition. LABOR: [ ] 710 Fair Labor Standards Act, [ ] 720 Labor/Mgmt. Relations, [ ] 730 Labor/Mgmt. Reporting & Disclosure 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. SOCIAL SECURITY: [ ] 861 HIA (1395ff), [ ] 862 Black Lung (923), [ ] 863 DIWC/DIWW (405(g)), [ ] 864 SSID Title XVI, [ ] 865 RSI (405(g)). FEDERAL TAX SUITS: [ ] 870 Taxes (U.S. Plaintiff or Defendant), [ ] 871 IRS - Third Party 26 USC 7609. OTHER STATUTES: [ ] 400 State Reapportionment, [ ] 410 Antitrust, [ ] 430 Banks and Banking, [ ] 450 Commerce, [ ] 460 Deportation, [ ] 470 Racketeer Influenced and Corrupt Organizations, [ ] 480 Consumer Credit, [ ] 490 Cable/Sat TV, [ ] 810 Selective Service, [ ] 850 Securities/Commodities/Exchange, [ ] 875 Customer Challenge 12 USC 3410, [ ] 890 Other Statutory Actions, [ ] 891 Agricultural Acts, [ ] 892 Economic Stabilization Act, [ ] 893 Environmental Matters, [ ] 894 Energy Allocation Act, [ ] 895 Freedom of Information Act, [ ] 900 Appeal of Fee Determination Under Equal Access to Justice, [ ] 950 Constitutionality of State Statutes.

V. ORIGIN (Place an "X" in One Box Only): [X] 1 Original Proceeding, [ ] 2 Removed from State Court, [ ] 3 Remanded from Appellate Court, [ ] 4 Reinstated or Reopened, [ ] 5 Transferred from another district (specify), [ ] 6 Multidistrict Litigation, [ ] 7 Appeal to District Judge from Magistrate Judgment.

VI. CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 18 USC § 2510 et seq.; 28 U.S.C. § 1332. Brief description of cause: Violation of federal wiretapping statute, 18 USC § 2510 et seq.

VII. REQUESTED IN COMPLAINT: [X] CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23. DEMAND \$ In excess of \$5 million. CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [ ] No.

VIII. RELATED CASE(S) IF ANY: PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE". 11-5774 (J. Grewal), 11-5802 (J. Lloyd), 11-5820 (J. Lloyd), 11-5821 (J. Corley)

IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE AND "X" IN ONE BOX ONLY): [ ] SAN FRANCISCO/OAKLAND, [X] SAN JOSE, [ ] EUREKA

DATE: December 6, 2011. SIGNATURE OF ATTORNEY OF RECORD: [Signature]