Doc. 1 Att. 1

## **CIVIL COVER SHEET** JS 44 (Rev. 12/12) cand rev (1/15/13)

The JS 44 civil cover sheet and brovided by local rules of court burpose of initiating the civil do	This form, approved by the ocket sheet. (SEE INSTRUCTION	nerein neither replace no ne Judicial Conference o TIONS ON NEXT PAGE OF	or supplen of the Unit F THIS FO	ted States in September <i>RM</i> .)	ce of pleadings or o 1974, is required fo	ther papers a or the use of t	s required by lather the Clerk of Co	iw, excep urt for the	pt as e
<ul> <li>(a) PLAINTIFFS         OrionClick LLC, a California limited liability company     </li> <li>(b) County of Residence of First Listed Plaintiff Los Angeles County         (EXCEPT IN U.S. PLAINTIFF CASES)     </li> </ul>				DEFENDANTS Kelvin Inocent, an individual, Yma Inocent, an individual, Iron Peak Holdings, LLC, a Texas limited liability company dba concealedamericaonline.com, and Does 1-10, inclusive  County of Residence of First Listed Defendant  (IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF					
(c) Attorneys (Firm Name, A KRONENBERGER ROSI 150 Post St., Suite 520, S (415) 955-1155	ENFELD, LLP			THE TRAC Attorneys (If Known)	T OF LAND INVOLV	VED.			
II. BASIS OF JURISDI	CTION (Place an "X" in O	ne Box Only)	III. CI	TIZENSHIP OF I	PRINCIPAL P	ARTIES (	Place an "X" in (	One Box fo	or Plaintij
T 1 U.S. Government Blaintiff 3 Federal Question (U.S. Government Not a Party)				$\begin{array}{c ccccccccccccccccccccccccccccccccccc$					
J 2 U.S. Government Defendant	· · · · · · · · · · · · · · · · · · ·			Citizen of Another State					
				en or Subject of a Ereign Country	<b>3 □</b> 3 Forei	gn Nation		<b>1</b> 6	<b>□</b> 6
IV. NATURE OF SUIT	(Place an "X" in One Box On	ly)							
CONTRACT	TO	RTS	FO	RFEITURE/PENALTY	BANKRUI	PTCY	OTHER S	STATUTE	ES
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 (Excludes 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	□ 330 Federal Employers' Liability □ 340 Marine □ 345 Marine Product Liability □ 350 Motor Vehicle □ 355 Motor Vehicle □ 700 Other Personal Injury □ 362 Personal Injury - Medical Malpractice  CIVIL RIGHTS □ 440 Other Civil Rights □ 441 Voting □ 442 Employment □ 443 Housing/ Accommodations □ 445 Amer. w/Disabilities - Employment □ 446 Amer. w/Disabilities - Other □ 448 Education	PERSONAL INJURY  365 Personal Injury - Product Liability  367 Health Care/ Pharmaceutical Personal Injury Product Liability  368 Asbestos Personal Injury Product Liability PERSONAL PROPER  370 Other Fraud  371 Truth in Lending  380 Other Personal Property Damage Product Liability  PRISONER PETITION  Habeas Corpus:  463 Alien Detainee  510 Motions to Vacate Sentence  530 General  535 Death Penalty Other:  540 Mandamus & Othe  550 Civil Rights  555 Prison Condition  560 Civil Detainee - Conditions of Confinement	TY	5 Drug Related Seizure of Property 21 USC 881 0 Other  LABOR 0 Fair Labor Standards Act 0 Labor/Management Relations 0 Railway Labor Act 1 Family and Medical Leave Act 0 Other Labor Litigation 1 Employee Retirement Income Security Act  IMMIGRATION 2 Naturalization Application Other Immigration Actions	□ 422 Appeal 28 U □ 423 Withdrawal 28 USC 15'  PROPERTY R  ■ 820 Copyrights □ 840 Trademark  SOCIAL SECU □ 861 HIA (1395f □ 862 Black Lung □ 863 DIWC/DIW □ 864 SSID Title: □ 865 RSI (405(g))  FEDERAL TA □ 870 Taxes (U.S. or Defendar □ 871 IRS—Third 26 USC 760	IGHTS  IGHTY  f) (923) W (405(g)) XVI )  X SUITS Plaintiff nt) Party	□ 480 Consum □ 490 Cable/S □ 850 Securitic Exchan □ 890 Other St □ 891 Agricult □ 893 Environ □ 895 Freedon □ 896 Arbitrat □ 899 Adminis Act/Rev	eapportionnist and Banking rece tion er Influenc Organizati ere Credit at TV es/Common ge tatutory Ac tatutory Ac tatural Acts mental Ma a of Inform ion strative Pro- ciew or App Decision utionality o	g ced and ions dittes/ ctions atters nation ceedure peal of
	moved from a 3 te Court Cite the U.S. Civil Sta 17 U.S.C. §§ 501	Appellate Court tute under which you are et seq.		ened Anoth (specif	er District	Multidistri Litigation	ct		
VII. REQUESTED IN	Copyright Infringe		ות	EMAND \$	CHECI	YFS only i	if demanded in	complain	
COMPLAINT:	UNDER RULE 2		D	ф		DEMAND:	Yes Yes	□ No	
VIII. RELATED CASE IF ANY	(See instructions):	JUDGE			DOCKET NU	MBER			
DATE 02/08/2017		signature of att s/ Virginia A. Sa							
X. DIVISIONAL ASSIGNMENT (Place an "X" in One Box Only)	Γ (Civil L.R. 3-2)	SAN FRANCISCO/OAK	KLAND	SAN JOSE	EUREKA				

## 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.Cv.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 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; **NOTE: 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 clerk(s) 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 six 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.

- 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 actual dollar amount 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.