JS 44 (Rev. 06/17)

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 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 NEXT PAGE OF THIS FORM.)

<u> </u>				<u> </u>					
I. (a) PLAINTIFFS The People of the State of California ex rel. the Regional Water Quality Control Board				DEFENDANTS International Boundary and Water Commission, United States Section; Jose Nunez, in his capacity as Acting Commissioner					
(b) County of Residence of First Listed Plaintiff San Diego (EXCEPT IN U.S. PLAINTIFF CASES)				County of Residence of First Listed Defendant					
				County or residence	(IN U.S. PLAINTIFF CASES ONLY)				
·	•	,		NOTE: IN LAND CO THE TRACT		ON CASES, USE T VOLVED.	•	F	
(c) Attorneys (Firm Name, Address, and Telephone Number) (see attachment)				Attorneys (If Known)					
						'18C'	V2050 JM	JM	Α
II. BASIS OF JURISDICTION (Place an "X" in One Box Only)				TIZENSHIP OF P	RINCIPA	L PARTIES			
☐ I U.S. Government	O 3 Federal Question			(For Diversity Cases Only) P	IF DEF		and One Box fo	r Dejenac PTF	nı) DEF
Plaintiff	(U.S. Government Not a Party)		Citiz		1 0 1	Incorporated or Pr		□ 4	0 4
∠ U.S. Government Defendant	☐ 4 Diversity	ip of Parties in Item III)	Citiz	en of Another State	2 🗇 2	Incorporated and I	Principal Place	5	ت م ا
Defendan,	Citiz	Of Business In Another State Citizen or Subject of a							
Foreign Country									
IV. NATURE OF SUIT (Place on "X" in One Box Only) CONTRACT TORTS FORFEITURE/PENALTY BANKRUPTCY OTHER STATE									
CONTRACT 110 Insurance	PERSONAL INJURY	PERSONAL INJUR		ORFEITURE/PENALTY 25 Drug Related Seizure	1	KRUPTCY	OTHER'S		ES
☐ 120 Marine	☐ 310 Airplane	☐ 365 Personal Injury -	Y U 02	of Property 21 USC 881	☐ 422 Appe	al 28 USC 158 Irawal	☐ 375 False Cla ☐ 376 Qui Tam		
☐ 130 Miller Act	315 Airplane Product Product Liability			O Other		SC 157	3729(a))		
 ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment 	Liability 320 Assault, Libel &	367 Health Care/ Pharmaceutical		•	PROPER	TY RIGHTS	400 State Rea		ment
& Enforcement of Judgment		Personal Injury			☐ 820 Copy		430 Banks an		2
151 Medicare Act	O 330 Federal Employers'	Product Liability	.		☐ 830 Paten		☐ 450 Commerc	e	_
☐ 152 Recovery of Defaulted Student Loans	Liability 340 Marine	☐ 368 Asbestos Personal Injury Product	^l			t - Abbreviated Drug Application	☐ 460 Deportati ☐ 470 Racketee		ed and
(Excludes Veterans)	345 Marine Product	Liability			☐ 840 Trade	mark	Corrupt C		
☐ 153 Recovery of Overpayment	Liability	PERSONAL PROPER		LABOR"		SECURITY	480 Consume		
of Veteran's Benefits I 160 Stockholders' Suits	☐ 350 Motor Vehicle ☐ 355 Motor Vehicle	☐ 370 Other Fraud ☐ 371 Truth in Lending	' '	Fair Labor Standards Act	□ 861 HIA (□ 862 Black		☐ 490 Cable/Sat ☐ 850 Securities		dities/
☐ 190 Other Contract	Product Liability	380 Other Personal	0 72	0 Labor/Management	□ 863 DIW	C/DIWW (405(g))	Exchang	e	
☐ 195 Contract Product Liability ☐ 196 Franchise	☐ 360 Other Personal Injury	Property Damage 385 Property Damage	₇₄	Relations 0 Railway Labor Act	□ 864 SSID □ 865 RSI (☐ 890 Other Sta		ctions
D 170 Halemay	☐ 362 Personal Injury -	Product Liability		I Family and Medical	ן ופא נוסי רון	403(g))	S 893 Environm		ters
REAL PROPERTY	Medical Malpractice	I price le promission		Leave Act	777777		☐ 895 Freedom	of Inform	nation
☐ 210 Land Condemnation	CIVIL RIGHTS 440 Other Civil Rights	PRISONER PETITION Habeas Corpus:		0 Other Labor Litigation 1 Employee Retirement		L.TAX SUITS (U.S. Plaintiff	Act 896 Arbitration	nn	
☐ 220 Foreclosure	☐ 441 Voting	☐ 463 Alien Detainee	" ا	Income Security Act		fendant)	☐ 899 Administ		ocedure
☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land	442 Employment	☐ 510 Motions to Vacate	;		Ø 871 IRS-		Act/Revie		peal of
245 Tort Product Liability	443 Housing/ Accommodations	Sentence 530 General			200	SC 7609	Agency D 950 Constituti		f
290 All Other Real Property	 445 Amer. w/Disabilities - 	☐ 535 Death Penalty		IMMIGRATION	1		State Stat		
	Employment 446 Amer. w/Disabilities -	Other: 540 Mandamus & Oth		2 Naturalization Application 5 Other Immigration					
	Other	550 Civil Rights	~ 5 ~	Actions					
	☐ 448 Education	☐ 555 Prison Condition ☐ 560 Civil Detainee -							
		Conditions of							
		Confinement							
V. ORIGIN (Place an "X" in									
		Remanded from C Appellate Court	J 4 Rein Reop		rred from r District	6 Multidistr Litigation Transfer	. -	Multidis Litigatio Direct Fi	n -
	Cite the U.S. Civil Sta	tute under which you ar	re filing (1	Do not cite jurisdictional state				71100171	
VI. CAUSE OF ACTIO	N 33 U.S.C. section Brief description of ca			•			•		
			into wa	aters of CA and the L	J.S. in viol	ation of the Cl	ean Water Ad	et	
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS UNDER RULE 2	IS A CLASS ACTION 3, F.R.Cv.P.	ı D	EMAND S		HECK YES only URY DEMAND:		complaiı XNo	nt:
VIII. RELATED CASE	C(S)								
IF ANY	(See instructions):	JUDGE (see attack	hment)		DOCKE	T NUMBER _			
DATE	ATE SIGNATURE OF ATTORNEY OF RECORD								
09/04/2018 s/ Noah Golden-Krasner									
FOR OFFICE USE ONLY								-	
RECEIPT # AN	OUNT	APPLYING IFP		JUDGE		MAG. JUD	GE		

II.

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)".

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 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
- 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 there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.
- 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 – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.

Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.

PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statue.

- 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.

CIVIL COVER SHEET I.(c). **PLAINTIFFS** Michael P. Cayaban, Supervising Deputy Attorney General Noah Golden-Krasner, Deputy Attorney General Phillip M. Hoos, Deputy Attorney General 600 West Broadway Ave., Suite 1800 San Diego, CA 92101 (619) 738-9301 VIII. **RELATED CASE(S) IF ANY** Judge: Hon. Jeffery T. Miller Docket Nos.: 18-cv-457-JM (JMA) and 3:18-cv-1621-JM (JMA) SD2018100951 82053449.docx