SJS 44 (Rev. 12/07)

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 THE REVERSE OF THE FORM)

I. (a) PLAINTIFFS		DEFEN	DEFENDANTS		
United States of Americ	a	New Er	New England Partners Capital, LP		
	EXCEPT IN U.S. PLAINTIFF CASES)	NOT	Residence of First Listed Defendant (IN U.S. PLAINTIFF CASE E: IN LAND CONDEMNATION CASES, LAND INVOLVED.	•	
Arlene Embrey, US SB	A AOO 3rd Street SW	Attorneys	(If Known)		
Nashington DC 20416					
II. BASIS OF JURISI		III. CITIZENSH	IP OF PRINCIPAL PARTIE	S(Place an "X" in One Box for Plaintiff	
U.S. Government Plaintiff	3 Federal Question(U.S. Government Not a Party)	(For Diversity (Cases Only) PTF DEF 1 1 1 Incorporated or of Business In T	and One Box for Defendant) PTF DEF Principal Place	
☐ 2 U.S. Government Defendant	 4 Diversity (Indicate Citizenship of Parties in Iten 	Citizen of Another St		Principal Place 5 5 5	
		Citizen or Subject of Foreign Country	a 🛘 3 🗇 3 Foreign Nation	□ 6 □ 6	
IV. NATURE OF SUI					
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle Product Liability 355 Motor Vehicle Product Liability 385 Property 385 Property	INJURY 610 Agriculture 620 Other Food & 625 Drug Related of Property 21 Liability 630 Liquor Laws 640 R.R. & Truck 650 Airline Regs. 660 Occupational Safety/Health and Lending rsonal Damage 710 Fair Labor Sta Damage 720 Labor/Mgmt. & Disclosure ATTIONS 740 Railway Labor Lovacate 790 Other Labor Lows: 791 Empl. Ret. Inc. Security Act 791 Empl. Ret. Inc. Security Act 740 Railway Labor Lows: 741 Empl. Ret. Inc. Security Act 742 Railway Labor Lows: 743 Habeas Corpus 744 Railway Labor Lows: 744 Railway Labor Lows: 745 Habeas Corpus 746 Railway Labor Lows: 747 Railway Labor Lows: 748 Railway Lab	Seizure USC 881 PROPERTINGHIN 320 Copyrights 830 Patent 840 Trademark 840 Trademark 861 HIA (1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 865 RSI (405(g)) Act 865 RSI (405(g)) 870 Taxes (U.S. Plaintiff or Defendant) 871 IRS—Third Party 26 USC 7609	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	
☑ 1 Original ☐ 2 Re	n "X" in One Box Only) moved from	☐ 4 Reinstated or ☐ Reopened	5 Transferred from another district (specify) Transferred from another district Litigation		
VI. CAUSE OF ACTION	Brief description of cause	· · · · · · · · · · · · · · · · · · ·	risdictional statutes unless diversity):		
VII. REQUESTED IN COMPLAINT:	Notice of Appointment of Fe CHECK IF THIS IS A CLASS AC UNDER F.R.C.P. 23		CHECK YES only JURY DEMAND	rif demanded in complaint:	
VIII. RELATED CASI IF ANY	E(S) (See instructions): JUDGE		DOCKET NUMBER		
DATE 06/26/2009	SIGNATURE /s Arlene N	OF ATTORNEY OF RECORD M. Embrey			
FOR OFFICE USE ONLY RECEIPT # AN	MOUNT APPLYING		JUDGE MAG. JU		