## Adelman et al v. Boy Scouts of America et al

SJS 44 (Rev. 2/08) **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 **NOTICE:** Attorneys MUST Indicate All Re-filed Cases Below. the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.) I. (a) PLAINTIFFS DEFENDANTS (b) County of Residence of First Listed Plaintiff County of Residence of First Listed Defendant (EXCEPT IN U.S. PLAINTIFF CASES) (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT (c) Attorney's (Firm Name, Address, and Telephone Number) LAND INVOLVED Attorneys (If Known) (d) Check County Where Action Arose: 🗆 MIAMI-DADE 🗖 MONROE 🗖 BROWARD 🗖 PALM BEACH 🗖 MARTIN 🗖 ST. LUCIE 🗖 INDIAN RIVER 🗖 OKEECHOBEE HIGHLANDS III. CITIZENSHIP OF PRINCIPAL PARTIES(Place an "X" in One Box for Plaintiff **II. BASIS OF JURISDICTION** (Place an "X" in One Box Only) (For Diversity Cases Only) and One Box for Defendant) □ 1 U.S. Government □ 3 Federal Question PTF DEF PTF DEF Incorporated or Principal Place 4 □ 4 Plaintiff (U.S. Government Not a Party) Citizen of This State Π  $\Box = 1$ 1 of Business In This State □ 2 U.S. Government □ 4 Diversity Citizen of Another State Incorporated and Principal Place D 5 2 5 Defendant of Business In Another State (Indicate Citizenship of Parties in Item III) **D** 6 Citizen or Subject of a П 3 Foreign Nation 6 3 Foreign Country NATURE OF SUIT (Place an "X" in One Box Only) IV CONTRACT TORTS FORFEITURE/PENALTY BANKRUPTCY **OTHER STATUTES** PERSONAL INJURY □ 110 Insurance PERSONAL INJURY □ 610 Agriculture 422 Appeal 28 USC 158 400 State Reapportionment 620 Other Food & Drug □ 423 Withdrawal □ 120 Marine 🗖 310 Airplane 362 Personal Injury -410 Antitrust 130 Miller Act □ 315 Airplane Product Med. Malpractice 625 Drug Related Seizure 28 USC 157 430 Banks and Banking □ 140 Negotiable Instrument Liability 365 Personal Injury of Property 21 USC 881 450 Commerce п □ 150 Recovery of Overpayment □ 320 Assault, Libel & 630 Liquor Laws PROPERTY RIGHTS 460 Deportation Product Liability 640 R.R. & Truck 368 Ashestos Personal □ 820 Copyrights 470 Racketeer Influenced and & Enforcement of Judgment Slander Π □ 151 Medicare Act 330 Federal Employers Injury Product 650 Airline Regs. □ 830 Patent **Corrupt Organizations** Liability □ 152 Recovery of Defaulted Liability Π 660 Occupational □ 840 Trademark 480 Consumer Credit 🗇 340 Marine Student Loans PERSONAL PROPERTY Safety/Health 490 Cable/Sat TV (Excl. Veterans) □ 345 Marine Product 370 Other Fraud 690 Other 810 Selective Service □ 153 Recovery of Overpayment Liability 371 Truth in Lending LABOR SOCIAL SECURITY 850 Securities/Commodities/ of Veteran's Benefits 350 Motor Vehicle 710 Fair Labor Standards Exchange 380 Other Personal 861 HIA (1395ff) □ 355 Motor Vehicle □ 160 Stockholders' Suits 862 Black Lung (923) 875 Customer Challenge Property Damage Act 12 USC 3410 □ 190 Other Contract Product Liability Π 385 Property Damage п 720 Labor/Mgmt. Relations □ 863 DIWC/DIWW (405(g)) 195 Contract Product Liability □ 360 Other Personal Product Liability 730 Labor/Mgmt.Reporting □ 864 SSID Title XVI Π 890 Other Statutory Actions & Disclosure Act □ 865 RSI (405(g)) 891 Agricultural Acts □ 196 Franchise Injury Π REAL PROPERTY CIVIL RIGHTS PRISONER PETITIONS 740 Railway Labor Act FEDERAL TAX SUITS 892 Economic Stabilization Act 210 Land Condemnation 🛛 441 Voting 870 Taxes (U.S. Plaintiff 510 Motions to Vacate 790 Other Labor Litigation Π 893 Environmental Matters □ 442 Employment 894 Energy Allocation Act □ 220 Foreclosure Sentence 791 Empl. Ret. Inc. Securit or Defendant) 230 Rent Lease & Ejectment □ 443 Housing/ Habeas Corpus: Act 1 IRS-Third Party 895 Freedom of Information Act 240 Torts to Land Accommodations 530 General 26 USC 7609 245 Tort Product Liability □ 444 Welfare Π. 535 Death Penalty IMMIGRATION 900 Appeal of Fee Determination □ 445 Amer. w/Disabilities Employment 462 Naturalization Under Equal Access to Justice 290 All Other Real Property п 540 Mandamus & Other Application □ 446 Amer. w/Disabilities 463 Habeas Corpus-Alien 550 Civil Rights Π Other Detainee 465 Other Immigration 950 Constitutionality of State 440 Other Civil Rights 555 Prison Condition Actions Statutes V. ORIGIN Appeal to District (Place an "X" in One Box Only) Transferred from Judge from Original Removed from Re-filed-Reinstated or  $\Box$  5 **G** Multidistrict Π1 **D** 2 **D** 3 7 another district Magistrate Proceeding State Court (see VI below) Reopened Litigation (specify) Judgment b) Related Cases D YES D NO a) Re-filed Case I YES INO VI. RELATED/RE-FILED (See instructions CASE(S). second page): JUDGE DOCKET NUMBER Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity): **VII. CAUSE OF ACTION** LENGTH OF TRIAL via days estimated (for both sides to try entire case) VIII. REQUESTED IN DEMAND \$ CHECK YES only if demanded in complaint: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **COMPLAINT:** JURY DEMAND: □ Yes □ No SIGNATURE OF ATTORNEY OF RECORD DATE

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

## **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)".

(d) Choose one County where Action Arose.

**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.

## Refiled (3) Attach copy of Order for Dismissal of Previous case. Also complete VI.

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. Related/Refiled Cases. This section of the JS 44 is used to reference related pending cases or re-filed cases. Insert the docket numbers and the corresponding judges name for such cases.

 

 VII.
 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

VIII. 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.

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