

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

NYSE EURONEXT,
a foreign corporation,

Plaintiff,

vs.

07-80438
Case No. _____

NICOLAS ATWOOD, a Florida citizen;
BITE BACK, INC., a Florida corporation;
ANIMAL LIBERATION FRONT, an
unincorporated association, JANE DOES
1-100 names being unknown and fictitious;
and JOHN DOES 1-100 names being
unknown and fictitious,

Defendants.
_____ /

CIV - HURLEY

Z HOPKINS

FILED BY _____
D.C.

2007 MAY 18 PM 12:55

**COMPLAINT FOR TEMPORARY RESTRAINING
ORDER AND PERMANENT INJUNCTIVE RELIEF**

Plaintiff NYSE Euronext sues Defendants Nicolas Atwood (“Atwood”), Bite Back, Inc. (“Bite Back”), Animal Liberation Front (“ALF”) (Atwood, Bite Back and ALF are collectively referred to as the “named Defendants”), and unknown Defendants Jane Does and John Does (the unknown Defendants are referred to as the “unnamed Defendants”) (all Defendants are collectively referred to herein as “Defendants”) and requests a temporary restraining order and permanent injunctive relief against all Defendants, enjoining Defendants and their affiliates, members, supporters, agents, and representatives, and all those acting in concert with them, from continuing an unlawful campaign of harassment, intimidation, and abuse against NYSE Euronext and its employees through Defendants’ website and otherwise. In support of its application for

temporary and permanent injunctive relief, NYSE Euronext has concomitantly filed a supporting Declaration, Motion for Temporary Restraining Order, and an accompanying Memorandum of Law.

PARTIES, VENUE, AND JURISDICTION

1. NYSE Euronext was formed through the combination, on or about April 4, 2007, of NYSE Group, Inc. (“NYSE Group”) and Euronext N.V. (“Euronext”). NYSE Group operates and regulates two securities exchanges: the New York Stock Exchange, which is the world’s largest and most liquid cash equities exchange, and NYSE Arca, Inc. (“NYSE Arca”), the first open, all-electronic stock exchange in the United States. Euronext, the first genuinely cross-border exchange organization, operates and provides services for regulated cash and derivatives markets in Belgium, France, the United Kingdom (derivatives only), the Netherlands and Portugal.

2. Upon information and belief, Defendant Nicolas Atwood is a Florida resident and citizen, who resides in West Palm Beach, Florida. Atwood serves as the President of Defendant Bite Back.

3. Defendant Bite Back is a Florida for-profit company, with its principal place of business located at 22 Lakeview Avenue, Suite 1601-231, West Palm Beach, Florida. Bite Back operates an internet website, www.directaction.info (the “Website”), which includes an on-line magazine entitled “Bite Back.”

4. Defendant ALF is an unincorporated association of individuals that promotes, glorifies, and utilizes violent and other unlawful means to further its stated goal of pursuing “animal rights.”

5. NYSE Euronext is without knowledge of the true names and the capacities of the unnamed Defendants, sued herein as Jane Does and John Does 1-100, and NYSE Euronext therefore sues these Defendants by such fictitious names. Upon information and belief, each of these unnamed Defendants is acting in concert with the named Defendants with respect to, and has authorized and ratified, the wrongful actions alleged herein and is therefore responsible for occurrences alleged herein.

6. Pursuant to 28 U.S.C. § 1391, venue is appropriate in this Court as the named Defendants reside in this judicial district.

7. This Court has jurisdiction over this cause of action pursuant to 28 U.S.C. § 1332, as complete diversity exists between NYSE Euronext and the named Defendants. This legal and equitable claim involves an amount in controversy that exceeds \$75,000.00, exclusive of attorney's fees and costs.

DEFENDANTS' THREATS AND INSTIGATION OF VIOLENCE

8. The named Defendants and unnamed Defendants are an association of individuals and a Florida for-profit corporation which can be loosely described as "animal rights" protestors. As appears from and is evidenced by the Website, a primary goal of the Defendants is to force the closure of Life Sciences Research, Inc. ("LSR") and its wholly-owned subsidiary, Huntingdon Life Sciences, Inc. ("HLS"), by targeting LSR and HLS, and other companies and persons who conduct business with LSR and HLS, with extremist and illegal actions.

9. The stock of LSR is listed on NYSE Arca. The business of HLS includes product development and research for the biotechnology, agrochemical and pharmaceutical industries. Their research provides necessary information about the

safety and use of new pharmaceutical and chemical products. A portion of the research involves the closely regulated use of animals.

10. The named Defendants and unnamed Defendants work in concert with, or are part of, other animal rights extremist groups, including the Animal Liberation Front (“ALF”), Animal Defense League, Win Animal Rights (“WAR”), Stop Huntingdon Animal Cruelty (“SHAC”), and Hugs for Puppies, all of which are engaged in a concerted effort to force the closure of LSR and HLS.

11. Rather than seeking policy change through the lawful utilization of political processes, Defendants’ efforts in the last several years to force the closure of LSR and HLS have included a combination of harassment, vandalism, explicit and implicit threats of violence, property destruction, and other actions directed toward LSR and HLS employees and their families.

12. Apparently not satisfied with a campaign directed solely at LSR and HLS, Defendants have expanded the scope of their extremist activities to include parties who provide goods or services to LSR and HLS, including such companies as UPS, GlaxoSmithKline, and Deloitte & Touche.

13. As part of their campaign of terrorism, Defendants routinely use websites to disseminate personal and private information about “targets”, *i.e.*, employees of HLS, LSR or unrelated third parties who conduct business with HLS or LSR. This information has included individuals’ home addresses, telephone numbers, email addresses, credit card numbers, and even the schools their children attend. The posting or maintenance of this information on websites is designed to and does encourage, incite, and direct others, including the unnamed Defendants, to focus their extremist and illegal activities on these

“target” individuals. By posting or maintaining such information on a website or email, the Defendants are intentionally and knowingly directing, encouraging or inciting the extremist and illegal activities of other unnamed animal rights extremists.

14. To combat the extremist and illegal activities of unnamed Defendants, various courts have repeatedly enjoined the activities of individuals who have worked in concert with the named Defendants and unnamed Defendants. As part of the injunctive relief ordered, courts in Pennsylvania, New York, and New Jersey have required the dismantling of websites and the removal of personal information from websites used by Defendants and their affiliates to direct extremist and illegal activities at specifically identified individuals.

15. On March 2, 2006, a federal jury in New Jersey convicted SHAC and six individuals for their roles in a campaign to terrorize officers, employees and shareholders of HLS. The charges included a count arising under the Animal Enterprise Protection Act and counts for interstate stalking and conspiracy to use a telecommunications device to abuse, threaten and harass persons. The defendants in the criminal case routinely posted personal information of HLS employees on their websites, including names, addresses, and telephone numbers. The websites at issue in the case encouraged and incited SHAC members and followers to direct their intimidation, harassment and violence at HLS and its employees.

16. In order to provide law enforcement with greater tools to combat the growing extremist and illegal activities of animal rights protestors, the Animal Enterprise Protection Act was amended and renamed as the Animal Rights Terrorism Act, 18 U.S.C.

§ 43 (“ARTA”), on November 27, 2006. ARTA increased the number of criminally proscribed actions and the severity of allowable penalties for any violation.

17. Recently, on or about May 1, 2007, law enforcement officials from three European countries conducted pre-dawn raids in an effort to combat the illegal activities of animal rights extremists in those countries, arresting thirty-two individuals connected with the animal rights extremist movement.

DEFENDANTS TARGET NYSE EURONEXT AND ITS EMPLOYEES

18. On December 22, 2006, LSR’s stock began trading on NYSE Arca.

19. The listing of LSR’s stock quickly prompted a concerted round of animal rights activist attacks directed against NYSE Euronext, its employees, and affiliates. NYSE Group and Euronext had announced earlier in 2006 the proposed combination of the two companies, and the named and unnamed Defendants decided to target both companies after the listing. In January 2007, the website www.shac.net touted the beginning of operation “Helter Skelter” designed to harass and intimidate NYSE Euronext. As part of “Helter Skelter,” the website classified NYSE Euronext as a “Category One” “target” and proclaimed that “They (NYSE Euronext) are the prime target.” This website is identical to Defendants’ Website in its stated goal of forcing the closure of LSR and HLS.

20. As specifically intended by named and unnamed Defendants, NYSE Euronext employees quickly became the targets of attacks from various unnamed Defendants.

21. On January 13, 2007 and January 17, 2007, demonstrations occurred at NYSE Euronext's Cannon Bridge Office in the United Kingdom. These demonstrations occurred after the website www.shac.net published the business addresses of NYSE Euronext in Europe. Subsequent to these demonstrations, LIFFE Administration and Management, the company which operates NYSE Euronext's derivatives market in the United Kingdom, obtained a High Court injunction in London, England which included a ban on web posting of employees' personal information.

22. On the night of March 7, 2007, two NYSE Euronext employees (the "Employees") were the victims of the unnamed Defendants' illegal actions. The unnamed Defendants vandalized the Employees' cars with acid and ruined the tires of the cars. Moreover, the unnamed Defendants spray painted, and threatened to spray paint later, the Employees' homes with pejorative epithets, including "Murderer" and "Pedophile," a clear sign that the unlawful activities were directly related to NYSE Euronext's business relationship with LSR and HLS.

23. In March 2007, Defendants Atwood and Bite Back posted or maintained an account of the criminal attacks on the Website which included personal information regarding the Employees.¹ The posting on www.directaction.info attributes the attacks in the Netherlands to Defendant ALF, a common defendant in the various actions that LSR, HLS and others have instituted. Specifically, Defendants Atwood and Bite Back posted or maintained both Employees' names and home addresses. Further, the telephone number and e-mail address of one Employee was also posted or maintained on the Website, exhorting readers to telephone this person "day and night" and to send spam

¹ NYSE Euronext has not included the personal information in this Complaint because of concerns that the Employees would be subject to additional terrorist activities through broader publication. Defendants know or are aware of the specific persons referenced on their website to which this Complaint relates.

to his e-mail address. The Website extolled the violent and destructive attack on the Employees, noting with respect to one employee that “ALF paint stripped his cars and redecorated his fancy house.” The Website posting further urged “[z]ero tolerance towards those who profit” from conducting business with HLS. The Employee was referred to as a “scumbag.”

24. The Website also posted or maintained the names and addresses of two additional persons affiliated with NYSE Euronext, including a member of the Board of Directors of a pension fund for NYSE Euronext and the former Head of Compliance Affairs for Euronext. Additionally, the Website posted the names and addresses of two members of the supervisory board of Van Der Moolen, a Netherlands-based financial services firm whose principal U.S. subsidiary is an NYSE member organization that serves as the specialist for over 400 NYSE-listed securities. The Website posting urged unnamed Defendants to contact “day and night” these additional named persons.

25. Following publication of these articles, NYSE Euronext was obligated to install additional safety measures at one employee’s home. Further, Dutch police have intensified patrols in the employee’s neighborhood in response to the animal right protestors’ threats and criminal conduct.

26. As a result of Atwood and Bite Back’s posting and maintenance of the personal and private information of NYSE Euronext Personnel, NYSE Euronext has suffered damages and will continue to suffer damages. Specifically, the named and unnamed Defendants caused damage, and will continue to cause damage, to the business relationships that NYSE Euronext has with its numerous listed companies, including LSR. In addition, the unnamed Defendants have caused extensive damage to the

Employees' real and personal property. NYSE Euronext has spent and is spending considerable sums of money for private security in an effort to protect the Employees from the unnamed Defendants and prevent further terrorist activities that Defendants have approved and endorsed. Due to the nature and organization of the named and unnamed Defendants and their associates, NYSE Euronext is without an adequate remedy at law.

COUNT I: TORTIOUS INTERFERENCE WITH BUSINESS RELATIONSHIPS

27. NYSE Euronext incorporates paragraph 1-26 as if fully set forth herein.

28. NYSE Euronext has contractual and other business relationships with its listed companies, including LSR. NYSE Euronext also has business relationships, including contractual relationships, with its own employees and other parties in connection with the operation of its markets, including market makers and other providers of liquidity.

29. Defendants have knowledge and are aware of those business relationships between NYSE Euronext and these parties. In fact, Defendants have targeted NYSE Euronext's employees solely to adversely affect and interfere with those various business relationships.

30. Defendants have interfered with the aforementioned relationships through their unauthorized publication of personal and private information of NYSE Euronext Personnel on their Website, encouragement of acts of violence and harassment, and the actual commitment of acts of violence and harassment, and this interference is intentional and wholly unjustified or protected.

31. As a result of Defendants' interference, NYSE Euronext has been damaged and continues to suffer damages.

COUNT II: EQUITABLE RELIEF

32. NYSE Euronext incorporates paragraph 1-26 as if fully set forth herein.

33. NYSE Euronext is suffering immediate and irreparable harm to its business, reputation, and business and employment relationships with its listed companies, market makers, and NYSE Euronext Personnel, specifically including, but not limited to, the two employees who were the most recent victims of Defendants' terrorist activities.

34. NYSE Euronext is without a remedy at law, and equitable relief is necessary to counter the harm being caused by and which will be caused by Defendants without court intervention.

35. NYSE Euronext will suffer much greater harm if injunctive relief is not granted than the Defendants will suffer if relief is granted.

REQUESTED RELIEF

WHEREFORE, NYSE Euronext requests that this Court grant the following relief on Counts I and II:

1. That Defendants, each of them, and their members, agents, employees, representatives, supporters, and all persons acting in concert and participation with them or with actual notice of the order, be temporarily and permanently enjoined from committing or furthering the commission of any of the following acts:

(a) placing or maintaining upon any website, including specifically, but without limitation, www.directaction.info, or disseminating by written

correspondence or electronically over the internet, by website, e-mail or otherwise (including by transmission using the telephone or facsimile), any personal or confidential information, including names, addresses, telephone numbers, mobile numbers, license plate numbers, e-mail addresses, bank account numbers, credit card numbers, drivers' license numbers, social security numbers, or any other information that identifies or relates to the person or family members or the real or personal property of these persons, regarding any current or former employee, officer, director, consultant, independent contractor, or representative of NYSE Euronext, including its current or future parents, subsidiaries and affiliates, or any entity known or believed to have business or economic relations with NYSE Euronext, or known or believed to have a prospective business or economic relationship with NYSE Euronext, or regarding any person known or believed to be a family member or associate of any such person;

(b) sending any unsolicited e-mail of a threatening or harassing nature, making any unsolicited telephone calls of a threatening or harassing nature, or directing, causing, inducing or encouraging others to send any such unsolicited communication, to any account or telephone number owned by or maintained for the benefit of any entity, or any employee, director or representative of any entity, known or believed to have business or economic relations with NYSE Euronext, or known or believed to have a prospective business or economic relationship with NYSE Euronext;

2. That Defendants, each of them, and their members, supporters, officers, agents, employees, representatives, affiliates, and all persons in active concert with them, be required to:

(a) post on all websites owned, operated or controlled by any of the Defendants, which relate in any manner to animal rights or a campaign against NYSE Euronext, the following language: “Notice: The United States District Court for the Southern District of Florida has issued an order prohibiting certain activity relating to NYSE Euronext, including its current or future parents, subsidiaries, and affiliates and any persons or entities having business or economic relations with NYSE Euronext.”; and

(b) post the foregoing statement as a continuously visible underlined hyperlink which, when clicked, displays only a legible, complete and unmodified copy of all pages of the Order. Such notice shall be posted on the home page of any website owned or operated by Defendants, in a typeface and color that is consistent with the most prominent reference to NYSE Euronext on each such page, and in a manner whereby the hyperlink is proximately located to the most prominent reference to NYSE Euronext on the page and that the hyperlink would ordinarily be displayed to users viewing the page.

3. That no person who has notice of the relief described above shall fail to comply with its letter and spirit nor shall any person subvert the letter or spirit by any sham, indirection or other artifice.

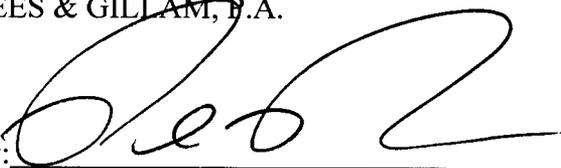
4. That Defendants pay NYSE Euronext damages, including punitive damages, in an amount to be determined;

5. That Defendants pay to NYSE Euronext the costs of this action and attorneys' fees to be allowed to the NYSE Euronext by the Court; and

6. That NYSE Euronext have such other and further relief as the Court deems just and proper.

Dated this 16th day of May, 2007.

MILAM HOWARD NICANDRI
DEES & GILLAM, P.A.

By: 

Paul M. Renner
Florida Bar No. 40304
14 East Bay Street
Jacksonville, Florida 32202
Tel: (904) 357-3660
Fax: (904) 357-3661

ATTORNEYS FOR PLAINTIFF

JS 44 (Rev. 11/05)

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.) **NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.**

I. (a) PLAINTIFFS

NYSE EURONEXT, a foreign corporation,

(b) County of Residence of First Listed Plaintiff New York
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Paul M. Renner, Esq.
Milam Howard, et al., 14 East Bay Street, Jacksonville, FL 32202
(904) 357-3660

DEFENDANTS

NICOLAS ATWOOD, BITE BACK, INC., ANIMAL LIBERATION FRONT, et al.

County of Residence of First Listed Defendant Palm Beach
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT LAND INVOLVED.

07-80438

(d) Check County Where Action Arose: MIAMI-DADE MONROE BROWARD PALM BEACH MARTIN ST. LUCIE INDIAN RIVER OKEECHOBEE HIGHLANDS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
 2 U.S. Government Defendant
 3 Federal Question (U.S. Government Not a Party)
 4 Diversity (Indicate Citizenship of Parties in Item III)

07CV80438 DTKH/JMH

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|-----------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input checked="" type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Stock Closure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding 2 Removed from State Court 3 Re-filed- (see VI below) 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judgment

VI. RELATED/RE-FILED CASE(S).

(See instructions second page):
a) Re-filed Case YES NO
b) Related Cases YES NO
JUDGE _____ DOCKET NUMBER _____

VII. CAUSE OF ACTION

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): *28 U.S.C. Section No. 1332*

LENGTH OF TRIAL via 1 days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND \$** _____
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

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

SIGNATURE OF ATTORNEY OF RECORD

DATE

[Handwritten Signature]

16 MAY 07

FOR OFFICE USE ONLY

AMOUNT 350 RECEIPT # _____ IFP _____
722755