

cat z

05C 7114

CIVIL COVER SHEET

The 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 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.)

(a) PLAINTIFFS

Cristi A. Hoffman, as Executor of the Estate of John W. Hoffman, and  
Cristi A. Hoffman, individually, et al.

DEFENDANTS

James P. Sumner and Frank D. Winter

JUDGE DUCKLO

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

County of Residence of First Listed Defendant Pennsylvanian defendants  
(IN U.S. PLAINTIFF CASES ONLY)

FILED  
DEC 19 2005

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. MAGISTRATE JUDGE MASON

(c) Attorney's (Firm Name, Address, and Telephone Number)  
Steve Helm, James M. Wagner, STEVE HELM & ASSOCIATES, P.C.  
N. Washington St., Naperville, IL 60563 (630) 369-6616

Attorneys (If Known)  
Russel G. Winick, RUSSEL G. WINICK & ASSOCIATES, P.C.  
1220 Iroquois Ave., Ste. 100 Naperville, IL 60563 (630) 548-5800

H. 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)

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

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
Incorporated or Principal Place of Business in This State
Incorporated and Principal Place of Business in Another State
Foreign Nation

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

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, SOCIAL SECURITY, FEDERAL TAX SUITS, BANKRUPTCY, OTHER STATUTES.

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

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

VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)

28 U.S.C. Section 1441 (removal based on diversity)

VII. PREVIOUS BANKRUPTCY MATTERS (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter perviously adjudicated by a judge of this Court. Use a separate attachment if necessary)

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

IX. This case is not a refiling of a previously dismissed action. is a refiling of case number previously dismissed by Judge

DATE December 19, 2005 SIGNATURE OF ATTORNEY OF RECORD [Signature]