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 isrequired 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 Jones Day | | | DEFENDANTS BlockShopper.com, Brian Timpone, Edward Weinhaus | | |
|--|---|---------|---|--|---|
| (b) County of Residence of First Listed Plaintiff Cook (EXCEPT IN U.S. PLAINTIFF CASES) | | | County of Residence of First Listed Defendant Cook (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. | | |
| (c) Attorney's (Firm Name, Address, and Telephone Number) Paul W. Schroeder Jones Day 77 W. Wacker Dr., Chicago, IL 60601 | | | Attorneys (If Known) | | |
| II. BASIS OF JURISDICTION (Place an "X" in One Box Only) | | | I. CITIZENSHIP OF PRINCIPAL PARTIES(Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant) <u>PIF</u> <u>DE</u> F <u>PTF</u> <u>DE</u> F | | |
| 1 U.S. Government Plaintiff | ■ 3 Federal Question (U.S. Government Not a Party) | Citizen | of This State | 1 1 Incorporated <i>or</i> I of Business In | |
| 2 U.S. Government Defendant | 4 Diversity (Indicate Citizenship of Parties in Item III) | Citizen | of Another State | 2 2 Incorporated <i>and</i> of Business In | |
| | , | | or Subject of a gn Country | 3 3 Foreign Nation | 6 6 |
| IV. NATURE OF SUI | r (Place an "X" in One Box Only) | | | | |
| CONTRACT | TORTS | FORF | EITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
| 110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (excl. vet.) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property | PERSONAL INJURY PERSONAL INJURY 310 Airplane 362 Personal Injury 315 Airplane Product Med. Malpractice Liability 365 Personal Injury 320 Assault, Libel & Sersonal Injury 330 Federal Employers' Injury Product Liability 1340 Marine PERSONAL PROPER 345 Marine Product 370 Other Fraud 1355 Motor Vehicle 380 Other Personal 350 Motor Vehicle B80 Other Personal 360 Other Personal Inj. Property Damage Product Liability 385 Property Damage 360 Other Personal Inj. Product Liability 441 Voting \$510 Motions to Vacate 444 Welfare 533 General 444 Welfare 533 Death Penalty 444 ADA Other 550 Civil Rights 440 Other Civil Rights 555 Prison Condition | | Agriculture Other Food & Drug Drug Related Seizure of Property 21 USC 881 Liquor Laws R.R. & Truck Airline Regs. Occupational Safety/Health Other LABOR Fair Labor Standards Act Labor/Mgmt. Relations Labor/Mgmt. Reporting & Disclosure Act Railway Labor Act Other Labor Litigation Empl. Ret. Inc. Security Act | ↓ 422 Appeal 28 USC 158 ↓ 423 Withdrawal 28 USC 157 PROPERTY RIGHTS ▲ 820 Copyrights ▲ 830 Patent ● 840 Trademark SOCIAL SECURITY ▲ 861 HIA (1395ff) ▲ 863 DIWC/DIWW (405(g)) ▲ 864 SSID Title XVI ▲ 865 RSI (405(g)) FEDERAL TAX SUITS ▲ 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/ICC Rates/etc. 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Satellite TV 810 Selective Service 850 Security/Commodity/Exch. 875 Customer Challenge 12 USC 3410 891 Agricultural Acts 893 Environmental Matters 894 Energy Allocation Act 990 Appeal of Fee Determination Under Equal Access to Justice 950 Constitutionality of State Statutes 890 Other Statutory Actions |
| V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY) I 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 Appeal to District Judge from Magistrate Judgement | | | | | |
| VI. CAUSE OF ACTION a brief statement of cause.) (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.) 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 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: UNDER F.R.C.P. 23 JURY DEMAND: Yes No | | | | | |
| IX. This case Lis not a refiling of a previously dismissed action. FILED: AUG 12, 2008 is a refiling of case number, previously dismissed by Judge 08CV4572 | | | | | |
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| August 12, 200 | MAGISTRATE JUDGE COX | | | | |