

JS-44 (Rev. 1/07 RI)

CIVIL COVER SHEET

<p>I. (a) PLAINTIFFS</p> <p>(b) County of Residence of First Listed Plaintiff <u>Bristol</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorney's (Firm Name, Address, and Telephone Number)</p>	<p style="text-align: center;">FILED IN CLERKS OFFICE</p> <p style="text-align: center;">2007 SEP -7 A 11:07</p> <p style="text-align: center;">NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.</p> <p style="text-align: center;">U.S. DISTRICT COURT DISTRICT OF MASS.</p> <p>DEFENDANTS</p> <p>County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)</p> <p>Attorneys (If Known)</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <p>(For Diversity Cases Only)</p> <table style="width: 100%;"> <tr> <td>Citizen of This State</td> <td><input checked="" type="checkbox"/> PTF</td> <td><input type="checkbox"/> DEF</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	<input checked="" type="checkbox"/> PTF	<input type="checkbox"/> DEF	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" 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
Citizen of This State	<input checked="" type="checkbox"/> PTF	<input type="checkbox"/> DEF	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4														
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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)

<p>Admiralty</p> <p><input type="checkbox"/> 340 Marine (Injury to Seamen)</p> <p><input type="checkbox"/> 120 Marine (Other)</p> <p>Admin/Agency Appeals Other</p> <p><input type="checkbox"/> 890 Other Statutory Actions (APA Appeals, IDEA Appeals, Other)</p> <p>Bankruptcy</p> <p><input type="checkbox"/> 429 Xp/28 U.S.C. § 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 U.S.C. § 157</p> <p>Banks and Banking</p> <p><input type="checkbox"/> 140 Negotiable Instruments</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 875 Customer Challenge to Subpoena (12 U.S.C. § 3410)</p>	<p>Constitutional Law</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p> <p><input type="checkbox"/> 440 Other Civil Rights (Constitutionality of Federal Statutes)</p> <p>Elections and Voting</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 441 Voting</p> <p>Other - Civil Rights</p> <p><input type="checkbox"/> 440 Other Civil Rights</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 444 Welfare</p> <p><input type="checkbox"/> 446 Americans with Disabilities</p>	<p>Environmental Law</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p>Indian Law</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p>Insurance</p> <p><input type="checkbox"/> 110 Insurance Contract</p> <p>Labor and Occupational Safety</p> <p><input type="checkbox"/> 660 Occupational Safety/Health</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Management Relations</p> <p><input type="checkbox"/> 730 Labor/Management Reporting and Disclosure Act</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p>	<p>Miscellaneous Civil Cases</p> <p>Continued</p> <p><input type="checkbox"/> 650 Airline Regs.</p> <p><input type="checkbox"/> 690 Other (Forfeiture)</p> <p><input type="checkbox"/> 690 Other (Health Care)</p> <p><input type="checkbox"/> 810 Selective Service</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS-Third Party (26 U.S.C. § 7609)</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 892 Economic Stabilization Act</p> <p><input type="checkbox"/> 894 Energy Allocation Act</p> <p><input type="checkbox"/> 895 Freedom of Information Act</p> <p><input type="checkbox"/> 900 Appeal of Fee Determination under Equal Access to Justice Act</p>	<p>RICO</p> <p><input type="checkbox"/> 470 RICO</p> <p>Social Security</p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p>
<p>Anti-trust</p> <p><input type="checkbox"/> 410 Anti-Trust</p> <p>Construction Contracts</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 190 Other Contracts</p> <p>Securities Law & Stockholder Suits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p>Other - Business/Comm.</p> <p><input type="checkbox"/> 196 Franchise</p> <p><input type="checkbox"/> 490 Cable/Satellite TV</p> <p>Consumer Credit</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 190 Other Contracts</p>	<p>Copyright & Trademark (Intellectual Property)</p> <p><input type="checkbox"/> 820 Copyright</p> <p><input type="checkbox"/> 840 Trademark</p> <p>Employment Discrimination</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 445 Americans with Disabilities-Employment</p> <p><input type="checkbox"/> 440 Other -Civil Rights</p> <p>ERISA</p> <p><input type="checkbox"/> 791 Employment Ret. Inc. Security Act</p> <p>Other Employment Benefits</p> <p><input type="checkbox"/> 190 Other - Contract</p> <p><input type="checkbox"/> 442 Other -Employment</p>	<p>Miscellaneous Civil Cases</p> <p><input type="checkbox"/> 150 Recovery of Overpayment and Enforcement of Judgment (Collections)</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (excluding Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 440 Other Civil Rights (Immigration/Deportation)</p> <p><input type="checkbox"/> 450 Commerce</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 610 Agriculture</p> <p><input type="checkbox"/> 620 Other Food and Drug</p> <p><input type="checkbox"/> 625 Drug related seizure of property</p> <p><input type="checkbox"/> 630 Liquor Laws</p> <p><input type="checkbox"/> 640 Railroad and Truck</p>	<p>Miscellaneous Civil Cases</p> <p>Patents (Intellectual Property)</p> <p><input type="checkbox"/> 830 Patents</p> <p>Prisoner Petitions</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence (2254)</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence (2255)</p> <p><input type="checkbox"/> 530 General (Habeas)</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus and Other</p> <p><input type="checkbox"/> 550 Civil Rights (1983)</p> <p><input type="checkbox"/> 555 Prison Conditions (1983)</p> <p>Real and Personal Property</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent, Lease and Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 290 All other Real Property</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p>	<p>Mass Torts</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p>Products Liability</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 365 Personal Injury Product Liability</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p> <p>Professional Malpractice</p> <p><input type="checkbox"/> 362 Personal Injury - Med. Malpractice</p> <p>Motor Vehicle Accidents/Slip and Fall</p> <p><input type="checkbox"/> 350 Motor Vehicles</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p>Other Torts and Personal Injury incl. Asbestos cases</p> <p><input type="checkbox"/> 360 Other Personal Injury (Fed. Tort Claims Act)</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 320 Assault, Libel and Slander</p> <p><input type="checkbox"/> 330 Federal Employers' Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury</p>

Aguia

Doc. 1 Att. 1

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ATTACHMENT 3

1. Title of case (name of first party on each side only) William V. Aguiar III vs. FILED IN CLERK'S OFFICE and AII

2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).

- I. 160, 410, 470, 535, R.23, REGARDLESS OF NATURE OF SUIT.
- II. 195, 196, 368, 400, 440, 441-446, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950. *Also complete AO 120 or AO 121 for patent, trademark or copyright cases
- III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- IV. 220, 422, 423, 430, 460, 480, 490, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.
- V. 150, 152, 153.

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U.S. DISTRICT COURT
DISTRICT OF MASS.
*Also complete AO 120 or AO 121 for patent, trademark or copyright cases

3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.

4. Has a prior action between the same parties and based on the same claim ever been filed in this court?
YES NO

5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)
YES NO
If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?
YES NO

6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?
YES NO

7. Do all of the parties in this action, excluding governmental agencies of the united states and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).
YES NO
A. If yes, in which division do all of the non-governmental parties reside?
Eastern Division Central Division Western Division
B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?
Eastern Division Central Division Western Division

8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)
YES NO

(PLEASE TYPE OR PRINT)
ATTORNEY'S NAME William V. Aguiar III
ADDRESS 630 Maple St. Fall River MA 02720
TELEPHONE NO. 15086785310