SJS 44 (Rev. 12/07)

## **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.)

I. (a) PLAINTIFFS		DEFENDANTS			
Righthaven LLC, a Nevada limited-liability company		Vote For The Worst, LLC, a Utah limited-liability company; Nathan E. Palmer, an individual; and David J. Della Terza, ar			
<b>(b)</b> County of Residence	e of First Listed Plaintiff Clark (Nevada)	County of Residence	of First Listed Defendant		
(EXCEPT IN U.S. PLAINTIFF CASES)			(IN U.S. PLAINTIFF CASES ONLY)		
			D CONDEMNATION CASES, US INVOLVED.	SE THE LOCATION OF THE	
(c) Attorney's (Firm Nam	ne, Address, and Telephone Number)	Attorneys (If Known)			
	., J. Charles Coons, Esq., Joseph C. C				
	9960 West Cheyenne Avenue, Suite 2	T			
	DICTION (Place an "X" in One Box Only)	III. CITIZENSHIP OF F	PRINCIPAL PARTIES	(Place an "X" in One Box for Plaintiff	
☐ 1 U.S. Government	■ 3 Federal Question	(For Diversity Cases Only)	TF DEF	and One Box for Defendant) PTF DEF	
Plaintiff	(U.S. Government Not a Party)		I Incorporated or Pr of Business In Thi	rincipal Place	
☐ 2 U.S. Government Defendant	☐ 4 Diversity  (Indicate Citizenship of Parties in Item III)	Citizen of Another State	1 2		
		Citizen or Subject of a  Foreign Country	3 Foreign Nation	□ 6 □ 6	
IV. NATURE OF SU		EODEELEHDE/DENAT ON	DANIZDUPTOV	OTHER STATUTES	
□ 110 Insurance	TORTS  PERSONAL INJURY PERSONAL INJUR	FORFEITURE/PENALTY Y □ 610 Agriculture	BANKRUPTCY  422 Appeal 28 USC 158	OTHER STATUTES  □ 400 State Reapportionment	
☐ 120 Marine	☐ 310 Airplane ☐ 362 Personal Injury	- ☐ 620 Other Food & Drug	☐ 423 Withdrawal	☐ 410 Antitrust	
☐ 130 Miller Act ☐ 140 Negotiable Instrument	☐ 315 Airplane Product Med. Malpractic Liability ☐ 365 Personal Injury	ě	28 USC 157	<ul><li>□ 430 Banks and Banking</li><li>□ 450 Commerce</li></ul>	
☐ 150 Recovery of Overpayment	☐ 320 Assault, Libel & Product Liability		PROPERTY RIGHTS	☐ 460 Deportation	
& Enforcement of Judgmen  151 Medicare Act	tt Slander □ 368 Asbestos Persona □ 330 Federal Employers' Injury Product	al G40 R.R. & Truck G50 Airline Regs.	■ 820 Copyrights ■ 830 Patent	470 Racketeer Influenced and Corrupt Organizations	
☐ 151 Medicare Act ☐ 152 Recovery of Defaulted	Liability Liability	☐ 660 Occupational	☐ 840 Trademark	□ 480 Consumer Credit	
Student Loans	☐ 340 Marine PERSONAL PROPER			☐ 490 Cable/Sat TV	
(Excl. Veterans)  ☐ 153 Recovery of Overpayment	☐ 345 Marine Product ☐ 370 Other Fraud ☐ 371 Truth in Lending	☐ 690 Other  LABOR	SOCIAL SECURITY	☐ 810 Selective Service ☐ 850 Securities/Commodities/	
of Veteran's Benefits	☐ 350 Motor Vehicle ☐ 380 Other Personal	☐ 710 Fair Labor Standards	□ 861 HIA (1395ff)	Exchange	
☐ 160 Stockholders' Suits ☐ 190 Other Contract	☐ 355 Motor Vehicle Property Damage Product Liability ☐ 385 Property Damage		☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g))	□ 875 Customer Challenge 12 USC 3410	
☐ 195 Contract Product Liability			☐ 864 SSID Title XVI	□ 890 Other Statutory Actions	
☐ 196 Franchise	Injury	& Disclosure Act	□ 865 RSI (405(g))	□ 891 Agricultural Acts	
REAL PROPERTY  ☐ 210 Land Condemnation	CIVIL RIGHTS PRISONER PETITIO  ☐ 441 Voting ☐ 510 Motions to Vaca		FEDERAL TAX SUITS  ☐ 870 Taxes (U.S. Plaintiff	□ 892 Economic Stabilization Act □ 893 Environmental Matters	
☐ 220 Foreclosure	☐ 442 Employment Sentence	☐ 791 Empl. Ret. Inc.	or Defendant)	☐ 894 Energy Allocation Act	
☐ 230 Rent Lease & Ejectment	☐ 443 Housing/ Habeas Corpus:	Security Act	☐ 871 IRS—Third Party	☐ 895 Freedom of Information	
☐ 240 Torts to Land ☐ 245 Tort Product Liability	Accommodations ☐ 530 General ☐ 544 Welfare ☐ 535 Death Penalty	IMMIGRATION	26 USC 7609	Act  900Appeal of Fee Determination	
☐ 290 All Other Real Property	☐ 445 Amer. w/Disabilities - ☐ 540 Mandamus & Ot	her	1	Under Equal Access	
	Employment ☐ 550 Civil Rights ☐ 446 Amer. w/Disabilities - ☐ 555 Prison Condition	☐ 463 Habeas Corpus - Alien Detainee		to Justice  ☐ 950 Constitutionality of	
	Other	☐ 465 Other Immigration		State Statutes	
	☐ 440 Other Civil Rights	Actions			
V. ORIGIN (Place	e an "X" in One Box Only)	Tunn	£ 1 €	Appeal to District	
	state Court Appellate Court	Reopened anoth	ferred from er district		
VI CALISE OF ACT	Cite the U.S. Civil Statute under which you a	re ming (Do not cite jurisdiction	ai statutes uniess diversity):		
VI. CAUSE OF ACT	Copyright Intringement				
VII. REQUESTED IN COMPLAINT:		N DEMAND \$ 75,000.00	CHECK YES only JURY DEMAND:	if demanded in complaint:  ■ Yes □ No	
VIII. RELATED CAS IF ANY	SE(S) (See instructions): JUDGE		DOCKET NUMBER		
DATE	SIGNATURE OF AT	TTORNEY OF RECORD			
06/28/2010	/s/ J. Charles 0	Coons, Esq., Nevada Bar	No. 10553		
FOR OFFICE USE ONLY					
RECEIPT #	AMOUNT APPLYING IFP	IUDGE	MAG III	DGE	

## 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)".
- **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.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

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. 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
- VII. 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.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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