Filed 02/01/2007

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SJS 44 (Rev. 11/04)

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		
Alexander, James; Alexander & Catalano LLC; Public Citizen, Inc.			Thomas Cahill, Diana Maxfield Kearse, Gary Casella, Rita Adler; Mark Ochs, Anthony Gigliotti, Daniel Drake, Vincent Scarsella		
(b) County of Residence of First Listed Plaintiff Onondaga (EXCEPT IN U.S. PLAINTIFF CASES)			County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)		
(c) Attorney's (Firm Name, Address, and Telephone Number)			Attorneys (If Known)		
Scott L. Nelson, Public Citizen Litigation Group					
	shington, DC 20009, 202-588-1000	1222 222			
II. BASIS OF JURISD	ICTION (Place an "X" in One Box Only)		FIZENSHIP OF P. For Diversity Cases Only)	RINCIPAL PARTIES	(Place an "X" in One Box for Plaintiff and One Box for Defendant)
U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)	1	n of This State D		PTF DEF incipal Place
☐ 2 U.S. Government	☐ 4 Diversity	Citizer	n of Another State	2	Principal Place 🗇 5 🔘 5
Defendant	(Indicate Citizenship of Parties in Item III)			of Business In	Another State
	•		n or Subject of a Seign Country	3 🗍 3 Foreign Nation	0606
IV. NATURE OF SUIT	(Place an "X" in One Box Only)	1	orgin contains		
CONTRACT	TORTS		ETTURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine	PERSONAL INJURY PERSONAL INJUR 310 Airplane 362 Personal Injury		0 Agriculture 10 Other Food & Drug	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal	400 State Reapportionment 410 Antitrust
☐ 130 Miller Act ☐ 140 Negotiable Instrument	Airplane Product Med. Malpractice Liability	e 🗇 62	5 Drug Related Scizure of Property 21 USC 881	28 USC 157	430 Banks and Banking 450 Commerce
☐ 150 Recovery of Overpayment	O 320 Assault, Libel & Product Liability	□ 63	0 Liquor Laws	PROPERTY RIGHTS	☐ 460 Deportation
& Enforcement of Judgment 151 Medicare Act	Slander 368 Asbestos Persons 330 Federal Employers' Injury Product		10 R.R. & Truck 50 Airline Regs.	820 Copyrights 830 Patent	☐ 470 Racketeer Influenced and Corrupt Organizations
Student Loans	Liability Liability G 340 Marine PERSONAL PROPER		0 Occupational Safety/Health	🗇 840 Trademark	480 Consumer Credit 490 Cable/Sat TV
(Excl. Véterans)	345 Marine Product 370 Other Fraud	□ 69	0 Other		☐ 810 Selective Service
☐ 153 Recovery of Overpayment of Veteran's Benefits	Liability 371 Truth in Lending 380 Other Personal		LABOR 0 Fair Labor Standards	SOCIAL SECURITY 861 HIA (1395ff)	850 Securities/Commodities/ Exchange
☐ 160 Stockholders' Suits ☐ 190 Other Contract	☐ 355 Motor Vehicle Property Damage Product Liability ☐ 385 Property Damage		Act O Labor/Mgmt. Relations	☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g))	875 Customer Challenge 12 USC 3410
195 Contract Product Liability	☐ 360 Other Personal Product Liability		0 Labor/Mgmt.Reporting	☐ 864 SSID Title XVI	890 Other Statutory Actions
I 196 Franchise REAL PROPERTY	Injury CIVIL RIGHTS PRISONER PETITIO	NS 74	& Disclosure Act 10 Railway Labor Act	☐ 865 RSI (405(g)) FEDERAL TAX SUITS	891 Agricultural Acts B92 Economic Stabilization Act
210 Land Condemnation 220 Foreclosure	U 441 Voting D 510 Motions to Vaca Sentence	ate 🛛 79	90 Other Labor Litigation 91 Empl. Ret. Inc.	☐ 870 Taxes (U.S. Plaintiff	☐ 893 Environmental Matters
🗇 230 Rent Lease & Ejectment	☐ 443 Housing/ Habeas Corpus:		Security Act	or Defendant) O 871 IRS—Third Party	☐ 894 Energy Allocation Act ☐ 895 Freedom of Information
240 Torts to Land 245 Tort Product Liability	Accommodations			26 USC 7609	Act 900Appeal of Fee Determination
290 All Other Real Property	445 Amer. w/Disabilities - 540 Mandamus & Ot	ther			Under Equal Access
·	Employment	n			to Justice 50 Constitutionality of
	Other 440 Other Civil Rights				State Statutes
■1 Original □ 2 R	an "X" in One Box Only) emoved from 3 Remanded from		stated or 💛 💛 anothe	ferred from	Appeal to District Judge from Magistrate
Proceeding State Court Appellate Court Reopened (specify) Litigation Judgment Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):					
VI. CAUSE OF ACTIO	ON 42 U.S.C. sec. 198 Brief description of cause:	33	***************************************		
VII. REQUESTED IN 1 st Amend. and Due Process challenge to state rules CHECK YES only if demanded in complaint:					
COMPLAINT:	UNDER F.R.C.P. 23			JURY DEMAND	: 🗆 Yes 🖪 No
VIII. RELATED CASE(S) 1F ANY (See instructions): JUDGE DOCKET NUMBER					
DATE	signature of a'	TTORNEY	OF RECORD		
February 1, 2007 Scoth Flul					
FOR OFFICE USE ONLY					
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG, JUDGE					