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 Physician Hospitals of America and Texas Spine & Joint Hospital, Ltd.		td. DEFENDA	DEFENDANTS		
(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES) (c) Attorney's (Firm Name, Address, and Telephone Number) Birdsong & Armstrong, P.C., Lindsey Birdsong, 211 E. Houston, Tyler, 75702, 903/595-6297; McGuire Woods, Scott Oostdyk, 901 E. Cary St Richmond, VA 23219, 804/775-1000		NOTE: 1 Attorneys (If K	County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. Attorneys (If Known)		
II. BASIS OF JURISI		III CITIZENSHID	OF PRINCIPAL PARTIES(P	lana an "Y" in One Bou for District	
☐ 1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)	(For Diversity Cases Citizen of This State		and One Box for Defendant) PTF DEF cipal Place	
₩ 2 U.S. Government	🗇 4 Diversity	Citizen of Another State	2 2 Incorporated and Pri	incipal Place 🗇 5 🗇 5	
Defendant	(Indicate Citizenship of Parties in Item III)		of Business In Ar	other State	
		Citizen or Subject of a Foreign Country	3 3 Foreign Nation	J 6 J 6	
	T (Place an "X" in One Box Only)				
CONTRACT			BANKRUPTCY	OTHER STATUTES	
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment Æ Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	□ 330 Federal Employers' Injury Product Liability Liability □ 340 Marine PERSONAL PROPER □ 345 Marine Product Liability □ 370 Other Fraud □ 350 Motor Vehicle □ 380 Other Personal □ 355 Motor Vehicle Product Liability □ 385 Property Damage Product Liability □ 385 Property Damage	- 620 Other Food & Druce 625 Drug Related Seiz 67 Property 21 USt 630 Liquor Laws 640 R.R. & Truck 650 Airline Regs. 660 Occupational Safety/Health 690 Other LABOR 710 Fair Labor Standar Act 720 Labor/Mgmt. Rela 730 Labor/Mgmt. Repo & Disclosure Act 740 Railway Labor Act 740 Railway Labor Litiga 791 Empl. Ret. Inc. Security Act 11 Empl. Ret. Inc. Security Act 12 Empl. Ret. Inc. 13 Empl. Ret. Inc. 14 Galaxy 14 Galaxy 14 Galaxy 14 Galaxy 15 Empl. Ret. Inc. 14 Galaxy 15 Empl. Ret. Inc. 15 Empl	g	400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 810 Selective Service 850 Securities/Commodities/ Exchange 12 USC 3410 890 Other Statutory Actions 391 Agricultural Acts 392 Economic Stabilization Act 893 Environmental Matters 394 Energy Allocation Act 895 Freedom of Information Act 900Appeal of Fee Determination Under Equal Access to Justice 950 Constitutionality of State Statutes	
⊠ 1 Original ☐ 2 Re	ate Court Appellate Court	J 4 Reinstated or ☐ 5 Reopened	Transferred from another district (specify) Multidistrict Litigation 1 6 Multidistrict 1 1 1 1 1 1 1 1 1	Appeal to District Judge from Magistrate Judgment	
VI. CAUSE OF ACTION	ON Cite the U.S. Civil Statute under which you a 28 USC 2201; 28 USC 2202 Brief description of cause: US Govt violations of the 5th Amen				
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23			demanded in complaint:	
VIII. RELATED CAST	E(S) (See instructions): JUDGE		DOCKET NUMBER		
6-3-2010	SIGNATURE OF AT	TORNEY OF RECORD			
FOR OFFICE USE ONLY			··,		
RECEIPT#AI	MOUNT APPLYING IFP	JUI	DGE MAG. JUDO	GE	