Physician Hospitals of America, et al v. Sebelius

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.)

the ervir docket sheet. (SEE I	NSTRUCTIONS ON THE REVERSE OF THE FORM.)				
I. (a) PLAINTIFFS Physician Hospitals of America and Texas Spine & Joint Hospital, Li			DEFENDANTS United States Department of Health and Human Services Kathleen Sebelius, Secretary.		
(b) County of Residence of First Listed Plaintiff (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) Lindsey Birdsong/Birdsong&Armstrong, P.C.			Attorneys (If Known)		
211 E. Houston, Tyler, TX	< 75702				
9 <u>03/595-6297</u> II. BASIS OF JURISI			FIZENSIIID OF D	DINCIDAL DADTIES	(Place an "X" in One Box for Plaintiff
II. DASIS OF JURISI	DICTION (Place an "X" in One Box Only)		For Diversity Cases Only)	KINCIPAL PARTIES	(Place an "X" in One Box for Plaintiff and One Box for Defendant)
□ 1 U.S. Government Plaintiff	 Federal Question (U.S. Government Not a Party) 	Ì	P	TF DEF 1 □ 1 Incorporated or Pr of Business In Thi	rincipal Place DEF
🕱 2 U.S. Government	□ 4 Diversity	Citizer	n of Another State	2 2 Incorporated and I	Principal Place 🛛 5 🗇 5
Defendant	(Indicate Citizenship of Parties in Item III)			of Business In A	Another State
			n or Subject of a eign Country	3 🗇 3 Foreign Nation	
	T (Place an "X" in One Box Only)	701		B A MUDUBECH	
CONTRACT 110 Insurance	TORTS PERSONAL INJURY PERSONAL INJURY		RFEITURE/PENALTY) Agriculture	BANKRUPTCY □ 422 Appeal 28 USC 158	OTHER STATUTES
□ 110 Insurance □ 120 Marine	□ 310 Airplane □ 362 Personal Injury		OAgriculture	□ 422 Appeal 28 USC 158 □ 423 Withdrawal	 400 State Reapportionment 410 Antitrust
□ 130 Miller Act	315 Airplane Product Med. Malpractic	ce 🗖 625	Drug Related Seizure	28 USC 157	□ 430 Banks and Banking
 140 Negotiable Instrument 150 Recovery of Overpayment 	Liability 🗆 365 Personal Injury 320 Assault, Libel & Product Liability		of Property 21 USC 881 Liquor Laws	PROPERTY RIGHTS	450 Commerce460 Deportation
& Enforcement of Judgmen		-	R.R. & Truck	□ 820 Copyrights	□ 470 Racketeer Influenced and
□ 151 Medicare Act	□ 330 Federal Employers' Injury Product		Airline Regs.	□ 830 Patent	Corrupt Organizations
152 Recovery of Defaulted Student Loans	Liability Liability 340 Marine PERSONAL PROPER		Occupational Safety/Health	□ 840 Trademark	 480 Consumer Credit 490 Cable/Sat TV
(Excl. Veterans)	□ 345 Marine Product □ 370 Other Fraud	□ 690) Other		810 Selective Service
153 Recovery of Overpayment of Veteran's Benefits	Liability 🖸 371 Truth in Lending 350 Motor Vehicle 🖸 380 Other Personal		LABOR Fair Labor Standards	SOCIAL SECURITY ☐ 861 HIA (1395ff)	850 Securities/Commodities/
□ 160 Stockholders' Suits	□ 355 Motor Vehicle □ 380 Other Personal		Act	□ 861 Black Lung (923)	Exchange 875 Customer Challenge
□ 190 Other Contract	Product Liability 🗖 385 Property Damag		Labor/Mgmt. Relations	□ 863 DIWC/DIWW (405(g))	12 USC 3410
 195 Contract Product Liability 196 Franchise 	G 360 Other Personal Product Liability Injury		Labor/Mgmt.Reporting & Disclosure Act	□ 864 SSID Title XVI □ 865 RSI (405(g))	 890 Other Statutory Actions 891 Agricultural Acts
REAL PROPERTY	CIVIL RIGHTS PRISONER PETITIO		Railway Labor Act	FEDERAL TAX SUITS	□ 892 Economic Stabilization Act
 210 Land Condemnation 220 Foreclosure 	□ 441 Voting □ 510 Motions to Vaca		Other Labor Litigation	870 Taxes (U.S. Plaintiff on Defendent)	 893 Environmental Matters 894 Energy Allocation Act
220 Foreclosure 230 Rent Lease & Ejectment	442 Employment Sentence 443 Housing/ Habeas Corpus:		Empl. Ret. Inc. Security Act	or Defendant) 871 IRS—Third Party	 894 Energy Allocation Act 895 Freedom of Information
□ 240 Torts to Land	Accommodations 🗇 530 General			26 USC 7609	Act
 245 Tort Product Liability 290 All Other Real Property 	□ 444 Welfare □ 535 Death Penalty □ 445 Amer. w/Disabilities - □ 540 Mandamus & Ot	ther 1 462	IMMIGRATION Naturalization Application		900Appeal of Fee Determination Under Equal Access
	Employment 🗖 550 Civil Rights		Habeas Corpus -		to Justice
	□ 446 Amer. w/Disabilities - □ 555 Prison Condition		Alien Detainee		950 Constitutionality of State Statutes
	Other 440 Other Civil Rights		Other Immigration Actions		State Statutes
I Original □ 2 R	an "X" in One Box Only) emoved from tate Court Appellate Court	□ 4 Reinst Reope	lated of \Box 3 anoth	ferred from er district	
	Cite the U.S. Civil Statute under which you a	are filing (I		d. 1	
VI. CAUSE OF ACTI	Brief description of cause:				
VII. REQUESTED IN	U.S. Govt violations of the 5th Ame		DT THE U.S. CONSTITUT		if demanded in complaint:
COMPLAINT:	UNDER F.R.C.P. 23		MAND \$	JURY DEMAND:	, Î
VIII. RELATED CAS IF ANY	SE(S) (See instructions): JUDGE			DOCKET NUMBER	
DATE 06/07/2010	SIGNATURE OF A /s/ Lindsey S.				
FOR OFFICE USE ONLY	•				
	AMOUNT APPLYING IFP		JUDGE	MAG. JUI	DGE