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10 Attorneys for Plaintiffs

11 [Additional Counsel on Signature Page]

12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**  
14 **WESTERN DIVISION**

15 SHIRLEY JONES, on Behalf of Herself )  
and All Others Similarly Situated, )

17 Plaintiff, )

18 v. )

19 CORBIS CORPORATION, )

20 Defendant. )

Case No. **CV 10-8668** DMG (MANX)  
) CLASS ACTION  
) CLASS ACTION COMPLAINT  
) DEMAND FOR JURY TRIAL

21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

1 Plaintiff Shirley Jones ("Jones"), on behalf of herself and all others similarly  
2 situated, by and through their attorneys, alleges as follows with respect to the  
3 above-captioned matter:

#### 4 INTRODUCTION

5 1. Plaintiff Jones, on behalf of herself and all others similarly situated,  
6 seek redress for the unlawful exploitation of her name, image, and likeness by  
7 defendant Corbis Corporation ("Corbis") in violation of California common law  
8 and Cal. Civ. Code §3344, *et seq.* ("Section 3344").

9 2. Defendant Corbis is a Nevada corporation that sells purported licenses  
10 for the use of names, images, and likenesses of numerous individuals, including  
11 celebrities, to consumers in California and elsewhere. Corbis sells these licenses  
12 via its multiple websites and without the consent of the individuals depicted in the  
13 images.

14 3. Plaintiff is a legendary entertainer and artist who resides in California.  
15 Licenses for the names, images, and likenesses of the Plaintiff, and of numerous  
16 other individuals, have been sold by Corbis over the internet without their consent.

17 4. Through its unauthorized exploitation of the Plaintiff and other  
18 individuals' names, images, and likenesses, Corbis has reaped substantial profits.

#### 19 PARTIES

20 5. Plaintiff Jones is an American singer and actress of stage, film, and  
21 television. She starred as wholesome characters in a number of well-known  
22 musical films, such as *Oklahoma!*, (1955), *Carousel* (1956), and *The Music Man*  
23 (1962). She won the Academy Award for Best Supporting Actress for playing a  
24 prostitute in *Elmer Gantry* (1960). She is probably best known to 1970s television  
25 audiences as Shirley Partridge, the widowed mother of five children in the  
26 situation-comedy television series, *The Partridge Family* (1970-1974), co-starring  
27 her real-life stepson David Cassidy, son of Jack Cassidy. Jones is a citizen of  
28 California, residing in Los Angeles County, California.



1 and (c) Corbis is a corporation and is subject to the personal jurisdiction of this  
2 District as set forth above as of the commencement of this action.

### 3 **FACTUAL ALLEGATIONS**

#### 4 **Examples of Plaintiff Jones' Wrongfully Appropriated Images**

5 10. Prior to the initiation of this litigation, plaintiff Jones was, and always  
6 has been, the exclusive licensor of her rights of publicity, including for the pictorial  
7 images attached hereto. (*See* Exhibit A).

8 11. The ten pictorial images on Exhibit A were first "made available" or  
9 "posted" by Corbis this year, 2010.

#### 10 **The Corbis Websites**

11 12. Defendant Corbis maintains several websites on the World Wide Web  
12 including [www.corbis.com](http://www.corbis.com), [www.corbismotion.com](http://www.corbismotion.com), and [www.corbisoutline.com](http://www.corbisoutline.com).<sup>1</sup>

13 13. According to defendant Corbis' website, available at  
14 <http://www.corbis.com/corporate/overview/overview.asp>, Corbis provides images  
15 on its websites that can be licensed for use in commercial products and  
16 advertisements. Corbis portrays itself as a "creative resource for advertising,  
17 marketing and media professionals" through the provision of "a comprehensive  
18 selection of photograph, illustration, footage, typefaces and rights clearance  
19 services."

20 14. Each website maintained by defendant Corbis features a search  
21 images toolbar prominently located on the main page of the website. By simply  
22 typing in the name of a certain person or celebrity in the search toolbar, consumers  
23 can quickly and easily access all the images of the individuals maintained on the  
24 website that are returned as a result of their search query.

---

25  
26  
27 <sup>1</sup> However, any reference to websites maintained by defendant Corbis does not  
28 include [www.snapvillage.com](http://www.snapvillage.com), which appears to be substantively different from  
Corbis' other websites and, thus, is not included in this action.



1 19. During the applicable statute of limitations period, defendant Corbis  
2 knowingly placed the images of plaintiff Jones and other Class members on its  
3 websites to sell purported licenses for the use of the images. During this process,  
4 Corbis knowingly and intentionally matched the names of Jones and other Class  
5 members with their respective images. Thus, the images could be easily located by  
6 consumers by conducting a name search on the Corbis website, thereby allowing  
7 the consumers to view the readily identifiable images of Jones and other Class  
8 members for which Corbis sold purported licenses for use of the images.

9 20. The images of plaintiff Jones and other Class members, which  
10 defendant Corbis placed on its websites without the consent of Jones and other  
11 Class members, are also used by Corbis to promote sales of purported licenses to  
12 consumers for the use of such images, all for the financial advantage, benefit, and  
13 profit, of Corbis.

14 21. The use of such images by defendant Corbis is purely for commercial  
15 purposes. Corbis sells the unauthorized licenses so that it can profit from the  
16 unauthorized use of the names, images, and likenesses of plaintiff Jones and other  
17 Class members. Corbis' use of the images is not connected with any news, public  
18 affairs, sports broadcast or account, or any political campaign. Corbis' use of the  
19 images is purely capitalistic in nature.

20 **Damages to Plaintiff Jones and the Class**

21 22. As a direct and proximate result of the defendant's wrongful conduct,  
22 plaintiff Jones and other Class (as defined herein) members have been damaged.  
23 Jones and the Class have been damaged by the loss of their right to control the  
24 commercial exploitation of their names, images, and likenesses.

25 23. Defendant Corbis' unauthorized use of the names, images, and  
26 likenesses of plaintiff Jones and the Class constitutes a violation of Section 3344.  
27 As a direct and proximate result of Corbis' violation of Section 3344, Plaintiffs and  
28 the Class are entitled to statutory damages in an amount equal to the greater of

1 \$750 or actual damages. Moreover, they are entitled to the profits from Corbis'  
2 unauthorized use of their names, images, and likenesses, as well as to attorneys'  
3 fees and costs.

4 **CLASS ACTION ALLEGATIONS**

5 24. Plaintiff Jones brings this action on behalf of herself and as a class  
6 action under Rule 23(a) and 23(b)(2)-(3) of the Federal Rules of Civil Procedure  
7 on behalf of a plaintiff class ("Class") composed of and defined as follows:

8 All California residents, whose names, images, or likenesses, without  
9 their permission, have been exploited by Corbis, by selling licenses  
10 for these names, images, or likenesses which are accessed by  
11 consumers through a name search on the Corbis websites, during the  
12 applicable statute of limitations time period and then sold to these  
13 consumers via Corbis' websites, including [www.corbis.com](http://www.corbis.com),  
14 [www.corbismotion.com](http://www.corbismotion.com), or [www.corbisoutline.com](http://www.corbisoutline.com). Excluded from  
15 the Class are any individuals appearing in the images or likenesses  
16 described in the preceding sentence whose names do not appear below  
17 the image or likeness on the Corbis websites and cannot be accessed  
18 through a name search on any of the Corbis websites. Also excluded  
19 are defendant Corbis, and Corbis' officers, directors, employees,  
20 representatives, parents, subsidiaries, and affiliates as well as any  
21 federal, state, or local governmental entities, any judicial officer  
22 presiding over this action and the members of his/her immediate  
23 family and judicial staff, and any juror assigned to this action.

24 25. There are questions of law and fact that are common to all members  
25 of the Class, which questions predominate over any question affecting only  
26 individual class members. These common questions include but are not limited to:

27 (a) Whether defendant Corbis obtained consent before placing the  
28 names, images, or likenesses of the described individuals on its websites;

1 (b) Whether defendant Corbis' use of the names, images, or  
2 likenesses is for Corbis' advantage, commercial or otherwise;

3 (c) Whether defendant Corbis placed the images on its websites,  
4 knowing that the images were of plaintiff Jones and the other Class members;

5 (d) Whether there is a direct connection between defendant Corbis'  
6 use of the images and a commercial purpose;

7 (e) Whether defendant Corbis' unauthorized use of a Class  
8 members' name, image, or likeness violates the individual's common law rights of  
9 publicity;

10 (f) Whether defendant Corbis' unauthorized use of a Class  
11 members' name, image, or likeness violates Section 3344;

12 (g) Whether Class members depicted in images found on defendant  
13 Corbis' websites are "readily identifiable" by virtue of the fact that the images were  
14 located by the use of a name search;

15 (h) Whether defendant Corbis' conduct caused damages to the  
16 Class members; and

17 (i) Whether the Class members are entitled to statutory damages  
18 under Section 3344 or common law damages.

19 26. Class members are identifiable from information and records in the  
20 possession, custody, or control of defendant Corbis; thus, the Class is  
21 ascertainable. There is no class certification issue as to the amount of Class  
22 members' damages, as damages can also be determined from reviewing  
23 information and records in Corbis' possession, custody, or control.

24 27. Plaintiff Jones is a member of the Class. Jones' claims are typical of  
25 the claims of the other members of the Class because all claims are based on the  
26 same legal and remedial theories.

27 28. Plaintiff Jones will fairly and adequately protect the interests of all  
28 Class members in the prosecution of this action and in the administration of all

1 matters relating to the claims stated herein. Jones' interests are aligned with, and  
2 not antagonistic to, those of the other members of the Class. Jones is similarly  
3 situated with, and has suffered similar injuries as, the members of the Class she  
4 seeks to represent. Jones believes she has been wronged and wishes to obtain  
5 redress for the wrong.

6 29. Plaintiff Jones has retained experienced and competent legal counsel.  
7 Neither Jones, nor her counsel, has any interest that may cause them to not  
8 vigorously pursue this action.

9 30. The Class is so numerous as to make it impracticable to join all  
10 members of the Class as plaintiffs. Based on defendant Corbis' large market share  
11 and the thousands of images available on its websites, Plaintiff Jones estimates that  
12 the Class likely exceeds at least 100 members. The exact number and identities of  
13 the Class members are currently known only by defendant Corbis. It is  
14 contemplated that the nature of the notice to the Class will be direct notice by mail  
15 or other reasonable means.

16 31. A class action is superior to other available methods for the fair and  
17 efficient adjudication of this controversy in that:

18 (a) Treatment as a class action will permit a large number of  
19 similarly situated persons to adjudicate their common claims in a single forum  
20 simultaneously, efficiently, and without the duplication of effort and expense that  
21 numerous individual actions would engender;

22 (b) Class treatment will permit the adjudication of relatively small  
23 claims by members of the Class who otherwise could not afford to litigate a right  
24 of publicity claim such as is asserted in this Amended Complaint;

25 (c) The individual Class members are not all aware that they have  
26 been wronged and are thus unable to prosecute individual actions;

27 (d) A failure of justice will result from the absence of a class  
28 action;

1 (e) The Class is moderate in size; and

2 (f) This class action presents no difficulties of management that  
3 would preclude its maintenance as a class action.

4 **COUNT I**

5 **Common Law Rights of Publicity**

6 32. Plaintiff Jones incorporates by reference and realleges each and every  
7 paragraph above as if fully stated herein.

8 33. Without obtaining consent to exploit the name, image, and likeness of  
9 plaintiff Jones and other Class members, defendant Corbis obtained said images  
10 and likenesses, including those depicted in Exhibit A attached hereto.

11 34. For purposes of financial gain, commercial exploitation, and  
12 distribution to the general public, defendant Corbis placed plaintiff Jones and other  
13 Class members' names, images, and likenesses on its websites and offered for sale  
14 and sold licenses to use the said names, images, or likenesses.

15 35. Defendant Corbis' unauthorized and unlawful use of plaintiff Jones  
16 and the other Class members' names, images, and likenesses for Corbis' own  
17 advantage constitutes a willful violation of Plaintiffs' common law rights to  
18 publicity.

19 36. The name, image, and likeness of plaintiff Jones and the Class, as  
20 discussed above (including the examples of Jones' images attached hereto as  
21 Exhibits A are available for commercial use in the State of California, and  
22 California has jurisdiction over defendant Corbis.

23 37. As a result of the unauthorized use of these images by defendant  
24 Corbis, plaintiff Jones and other members of the Class have sustained and will  
25 continue to sustain damages, including loss of their right to control the commercial  
26 exploitation of their names, images, and likenesses.

27

28

**COUNT II**

**Violation of Cal. Civ. Code §3344 *et seq.***

1  
2  
3 38. Plaintiff Jones incorporates by reference and realleges each and every  
4 paragraph above as if fully stated herein.

5 39. Without obtaining consent to exploit plaintiff Jones and the other  
6 Class members' names, images, and likenesses, defendant Corbis obtained said  
7 images and likenesses, including those depicted in Exhibits A and B attached  
8 hereto.

9 40. Defendant Corbis knowingly used Plaintiffs' and the other Class  
10 members' names, images, and likenesses by placing the said names, images, and  
11 likenesses on its websites and, for purposes of financial gain, commercial  
12 exploitation, and distribution to the general public, offering for sale licenses to use  
13 the images. Corbis caused plaintiff Jones and the other Class members' names to  
14 be matched or linked to their respective images and likenesses, so that consumers  
15 could conduct a name search of said images and likenesses.

16 41. Defendant Corbis has engaged in these actions without consent of any  
17 Plaintiff or other Class member, and has done so to its own commercial advantage  
18 and benefit.

19 42. The relevant images and likenesses, including those attached as  
20 Exhibit A are available for commercial use in the State of California, and  
21 California has jurisdiction over defendant Corbis.

22 43. Defendant Corbis' conduct alleged herein constitutes a violation of  
23 Plaintiffs and the other Class members' rights to publicity under Section 3344.

24 44. As a result of the unauthorized use of these images by defendant  
25 Corbis, Plaintiffs and other members of the Class have sustained and will continue  
26 to sustain damages, including loss of their right to control the commercial  
27 exploitation of their names, images, and likenesses. Plaintiff Jones and the Class  
28 are entitled to statutory damages in an amount equal to the greater of \$750 or

1 actual damages. Moreover, they are entitled to the profits from Corbis'  
2 unauthorized use of their names, images, and likenesses, as well as to attorneys'  
3 fees and costs.

4 **PRAYER FOR RELIEF**

5 Wherefore, Plaintiffs pray for judgment and relief against defendant Corbis  
6 as follows:

7 A. Declaring that this action is properly maintainable as a class action;

8 B. Naming plaintiff Jones as class representative, and her counsel as  
9 class counsel;

10 C. Declaring and decreeing that defendant Corbis: (1) has no right to use,  
11 exploit, publish, distribute, copy, advertise, license, or transmit in any form  
12 plaintiff Jones and the other Class members' names, images, and likenesses; and  
13 (2) has violated Section 3344 and California common law;

14 D. Awarding plaintiff Jones and the Class members all damages they  
15 have sustained as a consequence of defendant Corbis' acts complained of herein,  
16 including, but not limited to, the authorized statutory damages of an amount equal  
17 to the greater of \$750 per wrongful publication or actual damages suffered  
18 pursuant to Section 3344 and California common law;

19 E. Awarding plaintiff Jones and the Class profits from Corbis'  
20 unauthorized use of their names, images, and likenesses, as well as to attorneys'  
21 fees and costs.

22 F. Awarding plaintiff Jones and the other Class members punitive  
23 damages from Corbis for its willful violations of Plaintiffs' and the other Class  
24 members' common law and statutory right to publicity;

25 G. Awarding to plaintiff Jones and Class restitution from defendant  
26 Corbis and ordering disgorgement of all profits, benefits and other compensation  
27 obtained by Corbis;

28

1 H. Awarding plaintiff Jones and the Class the costs of this suit, including  
2 reasonable attorneys' fees and expenses; and

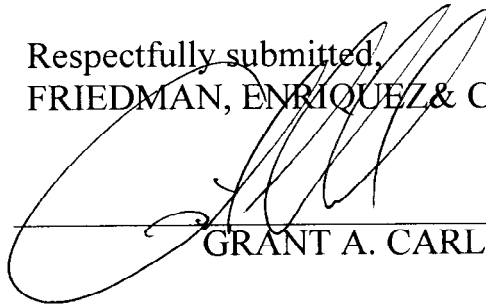
3 I. Awarding such other and further relief that this Court deems equitable  
4 and just.

5 **JURY DEMAND**

6 Plaintiff demands a trial by jury.

7 Dated: November 11, 2010

8 Respectfully submitted,  
9 FRIEDMAN, ENRIQUEZ & CARLSON, LLP



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Attorneys for Plaintiffs

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ENTERTAINMENT

Standard Rights Managed (RM)  
42-24450670

9th Annual AARP The Magazine's Movies for Grownups Awards

Shirley Jones and Marty Ingels at the 9th Annual AARP The Magazine's Movies for Grownups Awards Beverly Wilshire Hotel, Los Angeles, CA, USA February 16, 2010 © Scott Kirkland / Retna, Ltd

IMAGE:  
© Scott Kirkland / Retna Ltd./Corbis

DATE PHOTOGRAPHED  
February 16, 2010

LOCATION  
Los Angeles, California, United States

PHOTOGRAPHER  
Scott Kirkland

COLLECTION  
Retna

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Shirley Jones and Marty Ingels at the 9th Annual AARP The Magazine's Movies for Grownups Awards Beverly Wilshire Hotel, Los Angeles, CA, USA February 16, 2010 © Scott Kirkland / Retna, Ltd

IMAGE:  
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DATE PHOTOGRAPHED  
February 16, 2010

LOCATION  
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PHOTOGRAPHER  
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USA - 8th Annual TV Land Awards  
Actress Shirley Jones arrives at the 8th Annual TV Land Awards held at Sony Studios in Culver City.

IMAGE:  
© Frank Trapper/Corbis

DATE PHOTOGRAPHED  
April 17, 2010

LOCATION  
Culver City, California, USA

PHOTOGRAPHER  
Frank Trapper

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USA - 8th Annual TV Land Awards

Actress Shirley Jones arrives at the 8th Annual TV Land Awards held at Sony Studios in Culver City.

IMAGE:  
© Frank Trapper/Corbis

DATE PHOTOGRAPHED  
April 17, 2010

LOCATION  
Culver City, California, USA

PHOTOGRAPHER  
Frank Trapper

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Standard Rights Managed (RM)  
42-24925163

USA - 8th Annual TV Land Awards  
Actress Shirley Jones arrives at the 8th Annual TV Land Awards held at Sony Studios in Culver City.

IMAGE:  
© Frank Trapper/Corbis

DATE PHOTOGRAPHED  
April 17, 2010

LOCATION  
Culver City, California, USA

PHOTOGRAPHER  
Frank Trapper

COLLECTION  
Corbis Entertainment

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ENTERTAINMENT

Standard Rights Managed (RM)  
42-24925160

USA - 8th Annual TV Land Awards

Actress Shirley Jones and husband Marty Ingels arrive at the 8th Annual TV Land Awards held at Sony Studios in Culver City.

IMAGE:  
© Frank Trapper/Corbis

DATE PHOTOGRAPHED  
April 17, 2010

LOCATION  
Culver City, California, USA

PHOTOGRAPHER  
Frank Trapper

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42-24926485

8th Annual TV Land Awards

epa02122130 US actress Shirley Jones (L) and husband Marty Ingels arrive at the 8th annual TV Land Awards at the Sony Studios in Culver City, California, USA, 17 April 2010. The TV Land awards celebrate generally TV shows now off air, rather than in current production. EPA/NINA PROMMER

IMAGE:

© NINA PROMMER/epa/Corbis

DATE PHOTOGRAPHED

April 17, 2010

LOCATION

LOS ANGELES, CALIFORNIA, UNITED STATES

PHOTOGRAPHER

NINA PROMMER

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**9th Annual AARP The Magazine's Movies for Grownups Awards**

Shirley Jones at the 9th Annual AARP The Magazine's Movies for Grownups Awards Beverly Wilshire Hotel, Los Angeles, CA, USA February 16, 2010 © Scott Kirkland / Retna, Ltd

**IMAGE:**  
© Scott Kirkland / Retna Ltd./Corbis

**DATE PHOTOGRAPHED**  
February 16, 2010

**LOCATION**  
Los Angeles, California, United States

**PHOTOGRAPHER**  
Scott Kirkland

**COLLECTION**  
Retna

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42-24925989

8th Annual TV Land Awards

Shirley Jones and Marty Ingels at the 8th Annual TV Land Awards Sony Studios, Culver City, CA, USA April 17, 2010 © RD / Kirkland / Retna Digital

IMAGE:  
© RD / Kirkland / Retna Ltd./Corbis

DATE PHOTOGRAPHED  
April 17, 2010

LOCATION  
Culver City, California, United States

PHOTOGRAPHER  
RD / Kirkland

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ENTERTAINMENT

Standard Rights Managed (RM)  
42-24925991

8th Annual TV Land Awards

Shirley Jones and Marty Ingels at the 8th Annual TV Land Awards Sony Studios, Culver City, CA, USA April 17, 2010 © RD / Kirkland / Retna Digital

IMAGE:  
© RD / Kirkland / Retna Ltd./Corbis

DATE PHOTOGRAPHED  
April 17, 2010

LOCATION  
Culver City, California, United States

PHOTOGRAPHER  
RD / Kirkland

COLLECTION  
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Image: © RD / Kirkland / Retna Ltd./Corbis

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Dolly Gee and the assigned discovery Magistrate Judge is Margaret A. Nagle.

The case number on all documents filed with the Court should read as follows:

**CV10 - 8668 DMG (MANx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

-----  
**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

**Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

**Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

**Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Central District of California

SHIRLEY JONES, on Behalf of Herself and All
Others Similarly Situated,

Plaintiff

v.

CORBIS CORPORATION

Defendant

Civil Action No. CV10-8668 DMG (MANx)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) CORBIS CORPORATION
710 Second Avenue, Suite 200
Seattle, Washington 98104-1742

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

- (1) Gold & Coulson, 11 S. LaSalle St., Ste. 2402, Chicago, IL 60603
(2) Friedman, Enriquez & Carlson, LLP
433 N. Camden Dr., Suite 965, Beverly Hills, CA 90210
(3) Jay B. Ross & Associates, 838 West Grand Ave., Chicago, IL 60622
(4) Law Offices of Robert G. Klein
555 W. 5th St., 31st Fl., Los Angeles, CA 90013-1010

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11-12-10

[Handwritten Signature]
Signature of Clerk or Deputy Clerk

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> SHIRLEY JONES, on Behalf of Herself and All Others Similarly Situated	<b>DEFENDANTS</b> CORBIS CORPORATION
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  FRIEDMAN, ENRIQUEZ & CARLSON, LLP (310) 273-0777 433 N. Camden Dr., #965, Beverly Hills, CA 90210 [SEE ADDITIONAL COUNSEL ON ATTACHMENT]	Attorneys (If Known)

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> <td style="width:33%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input checked="" type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>	Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	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 checked="" 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
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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. ORIGIN** (Place an X in one box only.)

1 Original Proceeding   
  2 Removed from State Court   
  3 Remanded from Appellate Court   
  4 Reinstated or Reopened   
  5 Transferred from another district (specify):   
  6 Multi-District Litigation   
  7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:**  Yes     No (Check 'Yes' only if demanded in complaint.)

**CLASS ACTION under F.R.C.P. 23:**  Yes     No                      **MONEY DEMANDED IN COMPLAINT: \$** \_\_\_\_\_

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

**VII. NATURE OF SUIT** (Place an X in one box only.)

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input checked="" type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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**FOR OFFICE USE ONLY:** Case Number: CV10-8668

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes  
If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case?  No  Yes  
If yes, list case number(s): 02 L 005872 and 09-cv-05735-SVW

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply)  A. Arise from the same or closely related transactions, happenings, or events; or  
 B. Call for determination of the same or substantially related or similar questions of law and fact; or  
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.  
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	(1) King County, Washington (2) State of Nevada

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.  
**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties  
**Note: In land condemnation cases, use the location of the tract of land involved.**

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date November 11, 2010

**Notice to Counsel/Parties:** The CV-71 (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. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended, plus all claims filed for child's insurance benefits based on disability (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

Attachment to Civil Cover Sheet

1 (b):

Attorneys for Plaintiffs

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