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8 Counsel for Plaintiff
9 **RICHARD TOM**

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 RICHARD TOM,
13 Plaintiff,

Case No.

**COMPLAINT FOR DAMAGES AND FOR
INJUNCTIVE RELIEF**

v.

14 LORAIN WONG, MARK NG, JAMES
15 McGEE, CITY OF REDWOOD CITY,
16 and DOES 1-40,

Defendants.

I. JURISDICTION AND VENUE

18 1. This action arises under 42 USC §1983.

19 2. The claims alleged arose in and around the County of San Mateo, City of
20 Redwood City, State of California. Therefore, venue is proper in the Northern District of
21 California, San Francisco.

II. PARTIES

22 3. Plaintiff RICHARD TOM is an adult male who, at the time of the February 19,
23 2007, collision referenced below, was a resident of San Mateo County. Plaintiff is a citizen of
24 the United States of America.

25 4. Defendants LORAIN WONG and MARK NG, who on information and belief are
26 husband and wife, reside in the State of California. Both Wong and Ng, on information and
27

1 belief, were and are residents of San Mateo County.

2 5. Plaintiff is informed and believes that Defendant JAMES McGEE was at relevant
3 times an employee of the City of Redwood City; he was a peace officer as defined by California
4 law. On information and belief, the CITY OF REDWOOD CITY is, has been, a municipal
5 corporation organized and existing under the laws of the State of California. One of said
6 Defendant's departments or divisions is the REDWOOD CITY POLICE DEPARTMENT
7 (RWPD). The RWPD, on information and belief is not a separate entity; thus, together, they
8 are referred to below as "RWC" unless otherwise noted.

9 6. Plaintiff is informed and believes that at all relevant times SAN MATEO COUNTY
10 OFFICE OF THE DISTRICT ATTORNEY, is a subdivision or branch of SAN MATEO COUNTY.
11 Together, unless otherwise noted, these two entities are referred to as "San Mateo County."

12 7. On information and belief, San Mateo County's Office of the District Attorney is
13 the largest legal office in San Mateo County, presently led by District Attorney Stephen M.
14 Wagstaffe was previously led by James Fox through 2010. The office employs 129 (attorneys,
15 investigators, administrators, support staff, and others). The office claims to prosecute
16 primarily felony and misdemeanor crimes committed in San Mateo County. On information and
17 belief, San Mateo County, through its employees, conspired with Wong, Ng, McGee, and others
18 to violate Richard Tom's civil rights. While unindicted as a co-conspirator, San Mateo County
19 and its employees were acting under color of state law at all times and thus Wong, Ng, McGee
20 (who was a public employee at relevant times), and others may be joined in this action pursuant
21 to *Dennis v. Sparks* and its progeny.

22 8. Plaintiff is ignorant of the identities of Defendants DOES 1 through 40, and
23 therefore sues such defendants as fictitiously named persons/entities, whose true identities and
24 roles in the events which are the subject matter of this complaint are presently unknown.

25 9. Plaintiff will amend this complaint to identify fictitiously named Defendants and to
26 set forth facts relating to each when same become known to Plaintiff. Plaintiff is informed and
27 believes and thereon alleges that each DOE Defendant is legally responsible for events alleged
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1 herein which caused injury and damage to Plaintiff.

2 10. In doing acts or omissions alleged, the defendants and each of them were acting
3 in the course and scope of their employment with their respective agencies. In doing the acts
4 or omissions alleged, the defendants acted under color of authority and/or under color of law.

5 11. In doing the acts or omissions alleged, each of the defendants acted as the
6 agent, servant, employee, and/or in concert with each of the other Defendants herein.

7 **III. FACTS**

8 12. Plaintiff is informed and believes that there is, or was at relevant times, an
9 atmosphere or environment which tolerated result-oriented investigations and prosecutions in
10 San Mateo County, including Redwood City. San Mateo County has long had a tough on crime
11 reputation and its District Attorney's office expends significant resources on prosecutions. The
12 Office of the District Attorney in San Mateo County would on information and belief, pursuant to
13 official *de facto* policies, customs, and practices, bend or violate rules to secure convictions,
14 withhold exculpatory evidence, suborn perjury, engage in prosecutorial misconduct, and
15 otherwise subvert criminal justice in San Mateo County. These policies were officially ratified,
16 condoned, or created by customs, practices, and policies existing at relevant times.

17 13. Plaintiff is informed and believes that repeated acts, part of a pattern and
18 practice, did in fact lead to constitutional deprivations complained of herein.

19 14. Plaintiff is further informed and believes said civil rights violations and or other
20 acts of misconduct included intimidation, denial of due process and equal protection, retaliation,
21 conspiracy to violate civil rights, and/or other misconduct.

22 15. Plaintiff is further informed and believes that said misconduct by all defendants
23 included but was not limited to subjecting persons such as Plaintiff to unlawful police and
24 prosecutorial actions.

25 16. As a result, Plaintiff and others like him were subjected to unequal treatment,
26 civil rights violations, and other misconduct.

27 17. Plaintiff is further informed and believes that municipal defendants, indicted and
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1 unindicted, repeatedly failed to take remedial or corrective action despite the pervasive and
2 ongoing malfeasance within their respective offices.

3 18. Plaintiff is further informed and believes that these are matters of official policy –
4 rooted in an entrenched posture of deliberate indifference to the constitutional rights of accused
5 persons such as Plaintiff and others similarly situated.

6 19. Plaintiff is further informed and believes that the culture of tolerance which
7 existed in these municipalities, may still exist, is rooted in the deliberate indifference of high-
8 ranking municipal officials.

9 20. Plaintiff is informed and believes that as a result of the above and below acts, he
10 suffered the violation of constitutional rights because of customs, practices, policies, and
11 patterns, including but not limited to a deliberate indifference.

12 21. Plaintiff is informed and believes that despite notice of repeated constitutional
13 violations being perpetrated by these employees, Defendants and each of them failed to take
14 appropriate action.

15 22. Plaintiff is informed and believes that as a direct, legal, and proximate result of
16 the acts and omissions alleged above, Plaintiff suffered loss of his constitutional rights and
17 suffered grievous injuries.

18 23. Plaintiff's losses and injuries were caused, in part, by unconstitutional yet official,
19 *de facto* customs, policies, practices, and patterns, which were the moving force behind
20 Plaintiff's injuries.

21 24. Plaintiff is informed and believes unlawful conduct was condoned, encouraged,
22 approved, and/or ratified by Defendants and each of them.

23 25. Plaintiff is informed and believes that as a result of the above facts, he suffered
24 the violation of his constitutional rights and was injured.

25 **IV. SPECIFIC FACTS**

26 26. On the evening of February 19, 2007, Loraine Wong, with her two children in the
27 back seat, was operating a motor vehicle.

1 27. Wong pulled her vehicle in front of the Mercedes operated by Tom.

2 28 Wong was on her cellular telephone at the time she pulled her vehicle in the path
3 of vehicle Tom was operating.

4 29. Wong, upon entering from Santa Clara Avenue onto Woodside Road, never
5 looked in the direction of Tom's vehicle. Wong's vehicle was controlled by a stop sign; Tom
6 was proceeding on Woodside Road and his path of travel was not controlled by any traffic
7 control device or sign at the intersection of Woodside Road and Santa Clara Avenue. Tom thus
8 had the right of way at all times under Vehicle Code sections 21801 and 21802

9 30. McGee responded to the collision. Wong and one of her daughters were injured.
10 Tragically, another daughter of Wong was killed in the collision.

11 31. Plaintiff Richard Tom was blamed for the collision. Wong gave different stories
12 to McGee and later to another RWC employee, Janine O'Gorman. Deputy District Attorney
13 Shin-Mee Chang, who prosecuted Tom both times, was aware of the inconsistent stories and,
14 on information and belief, in her zealous pursuit of a conviction, worked with Wong to provide
15 perjured testimony.

16 32. Chang herself engaged in multiple acts of prosecutorial misconduct, such as
17 coaxing perjured testimony from Wong; violating Tom's right to invoke the Fifth Amendment
18 right (insisting that the Jury find him guilty because he remained silent, which the First District
19 Court of Appeal determined was a basis for overturning Tom's conviction twice); repeatedly
20 insisting there was no evidence Tom's headlights were on when RWC police verified the Tom
21 car's headlight filament was stretched at the time of collision; the switch inside the Tom vehicle
22 was in on (auto) position; and, video taken from the nearby ARCO gas station at the night of the
23 incident showed Tom's car was traveling with lights on from left to right toward the collision as
24 patrons filling their tanks ran towards the accident scene just seconds after the collision.

25 33. Shin-Mee Chang ultimately agreed with Wong and Ng – that Wong would mis-
26 state (lie) that Wong in fact was no longer on her cellular telephone at the time of the collision
27 and had looked several times in Tom's direction – so as to secure a conviction of Tom.
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1 34. Based on early Wong's mis-statements and misrepresentations, McGee in his
2 report opined Tom alone was at fault for the fatal collision. McGee had very little experience or
3 education in re-constructing accidents and thus was unqualified to render such an opinion.

4 35. Tom was criminally prosecuted and, at one point while awaiting trial, was held
5 without bail in jail.

6 36. Based primarily on Wong's perjury, Tom was convicted of vehicular
7 manslaughter and spent a total of more than 40 months incarcerated.

8 37. With the First District Court of Appeal finding that San Mateo had engaged in
9 prosecutorial misconduct during the 2008 criminal trial, Tom's conviction was set aside in about
10 April 2012. That criminal case went to trial a second time in September 2018, and the Jury
11 deadlocked 7-5 in favor of Tom. Wagstaffe decided not to re-file and the case was dismissed.

12 38. As a result of the 2008 criminal conviction, however, a civil case against Tom for
13 the wrongful death of Loraine Wong's minor daughter proceeded to trial.

14 39. At the first criminal trial, in the wrongful case during deposition, and at the
15 wrongful death trial, Loraine Wong continued to give false and misleading perjured testimony.

16 40. It was not until September 2018, during the second criminal trial, when Wong
17 recanted her pervious testimony and finally admitted that she remained speaking on her cellular
18 telephone with her sister from before and at the time of the collision; she was completely
19 distracted, which led to her fatal errors. Loraine Wong's September 2018 testimony then went
20 even further; she admitted that she never looked in the direction of Richard Tom's vehicle.

21 Thereby, Mrs. Wong essentially admitted that she had perjured herself on multiple occasions.

22 41. As evidence of collusive scheme to obtain a conviction regardless of the truth,
23 San Mateo is not prosecuting Loraine Wong for perjury. On information and belief, Mark Ng
24 was aware of his wife's perjury and pressured Loraine Wong into providing the false testimony.

25 42. Richard Tom spent 3.5 years imprisoned based on Loraine Wong's perjury.
26 Richard Tom lost all of his real property, most of his friends, all of his wealth, and even many
27 family members. While many people believed he was innocent of manslaughter, his need to
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1 maintain his innocence was simply too much for people in his circle. Time in prison certainly
2 changed Richard Tom, and his financial fall devastated him.

3 43. Not one person is being disciplined or subjected to criminal prosecution, other
4 than now dismissed criminal prosecution against Richard Tom.

5 44. Plaintiff is informed and believes that it was RWC, with Wong and Ng, who
6 pushed the criminal prosecution against Tom.

7 45. When Tom was forced to sell his own real property to pay his legal bills, Mark Ng
8 was heard to complain that Tom was spending money that belonged to Ng and Wong.

9 46. Plaintiff suffered injuries as a result.

10 **V. CAUSES OF ACTION**

11 **FIRST CAUSE OF ACTION – 42 USC §1983**

12 **Fourth Amendment (Malicious Prosecution)**

13 **Against All Defendants**

14 47. Plaintiff incorporates by reference all of the preceding paragraphs as though set
15 forth fully herein.

16 48. Plaintiff is informed that, as to Defendants and each of them, each was acting
17 pursuant to official, *de facto* policies and in concert with one another when they injured Plaintiff;
18 each was acting in concert with the co-defendants, with the shared objective to injure the
19 plaintiff and others like him.

20 49. As stated above, the criminal case against Tom was pursued without probable
21 cause.

22 50. Ng and Wong, with RWC, continued to create new and different versions of
23 evidence in an effort to convince the District Attorney's office to file and to prosecute a case
24 with no merit against Tom which would otherwise would not have been prosecuted. This was
25 done with knowledge and approval and urging of persons in the District Attorney's Office.

26 51. The criminal case was motivated by a unreasonable desire to convict.

27 52. The criminal case initiated against Tom was brought with malice. Wong needed
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1 to justify the prosecution and to hide her own fault in the collision. Defendants and their
2 unindicted co-conspirators manipulated evidence, approved and fostered false statements in
3 the form of reports and narratives, perjured themselves, and provided false explanations to
4 circumvent other evidence. The failure to prosecute Wong for perjury illustrates the malicious
5 intent and improper purpose of the criminal prosecution.

6 53. Ng and Wong's motivation in pushing the prosecution, and/or in Ng, in allowing
7 his wife to do so, was motivated by something other than bringing Tom to justice for what was
8 at most a Vehicle Code violation that should have resulted in a speeding ticket.

9 54. Said right to be free from malicious prosecution is a substantive guarantee under
10 the Fourth Amendment to the United States Constitution.

11 55. Plaintiff was injured and damaged as a result of Defendants' actions.

12 WHEREFORE, Plaintiff prays for relief as set forth below.

13 **SECOND CAUSE OF ACTION – 42 USC §1983**

14 **Fourth and Fourteenth Amendments (Equal Protection)**

15 **Against All Defendants**

16 56. Plaintiff incorporates by reference all of the preceding paragraphs as though set
17 forth fully herein.

18 57. Plaintiff is informed that, as to Defendants and each of them, each was acting
19 pursuant to official, *de facto* policies and in concert with one another when they injured Plaintiff;
20 each was acting in concert with the co-defendants, with the shared objective to injure the
21 plaintiff and others like him. Decisions and actions by municipal policy-makers had the force of
22 law. In doing the things alleged herein, Defendants' conduct and actions, pursuant to policy-
23 level decisions, were the moving force behind Tom's injuries.

24 58. As alleged above, Tom was prosecuted criminally and civilly for at least two
25 improper reasons.

26 59. On information and belief, as noted above, no prosecution against Wong was
27 initiated.
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1 70. Said Defendants' conduct was reckless or intended to cause Plaintiff emotional
2 distress. Defendants Wong and Ng literally acted as if, and indicated that, they wanted to
3 destroy Plaintiff Richard Tom, wrongly blaming Tom for the collision caused by Wong.

4 71. As a result of Defendant Wong and Ng's conduct. Plaintiff suffered severe
5 emotional distress.

6 72. Plaintiff's severe emotional distress included but was not limited to mental
7 suffering, anguish, fright, horror, nervousness, his own grief, anxiety, worry, shock, humiliation,
8 and shame.

9 73. Plaintiff's emotional distress was severe, and not mild or brief. His distress has
10 been so substantial and long-lasting that no reasonable person should be expected to bear it.
11 Defendants' conduct fell outside the bounds of decency.

12 74. Believing that they were vested with *de facto* immunity by virtue of colluding with
13 police and the District Attorney, Defendants Wong and Ng abused their positions as "victims"
14 and, through the false testimony, had the real or apparent power to affect Plaintiff's interests,

15 75. Defendants knew that their conduct with likely result in emotional harm. That is,
16 by seeking and obtaining a prison sentence for Tom based on Wong's perjured testimony,
17 Defendants knew that emotional distress would likely result from their conduct, or they gave
18 little or no thought to the probable effects of their conduct. Defendants Wong and Ng engaged
19 in outrageous conduct without considering the probable consequences

20 76. Plaintiff was injured and damaged as a result of Defendants' actions.

21 WHEREFORE, Plaintiff prays for relief as follows:

22 **VI. PRAYER**

- 23 a. Compensatory damages according to proof, which will likely exceed
24 \$15,000,000;
- 25 b. General damages according to proof;
- 26 c. Punitive and exemplary damages, as to the individually-named defendants, only;
- 27 d. For costs of suit and for reasonable attorneys' fees under, *inter alia*, 42 USC
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1 section 1988;

2 e. For pre-judgment and post-judgment interest;

3 f. For an order requiring Defendants, all persons acting on behalf of Defendants,
4 and each of them, to do the following:

5 1. To investigate the officers involved in February 2007 investigation; and,

6 2. To initiate a perjury investigation against Loraine Wong;

7 g. Such other and further relief as the Court deems just and proper.

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9 Date: December 21, 2018

/s/ Russell A. Robinson
Law Office of Russell A. Robinson
By: Russell A. Robinson
Counsel for Plaintiff
RICHARD TOM

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13 **VII. DEMAND FOR JURY TRIAL**

14 Plaintiff hereby demands a jury trial, as is his right.

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16 Date: December 21, 2018

/s/ Russell A. Robinson
Law Office of Russell A. Robinson
By: Russell A. Robinson
Counsel for Plaintiff
RICHARD TOM

CIVIL COVER SHEET

The JS-CAND 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 in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

RICHARD TOM

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Russell A. Robinson, 163937, Law Office of Russell A. Robinson 345 Grove Street, 1st Floor, San Francisco CA 94102 415.861.4416/415.431.4526/rlaw345@gmail.com

DEFENDANTS

LORAIN WONG, MARK NG, JAMES McGEE, CITY OF REDWOOD CITY, and DOES 1-40

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Not known at this time

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff XX3 Federal Question (U.S. Government Not a Party)
2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, HABEAS CORPUS, OTHER, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- XXX Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation-Transfer 8 Multidistrict Litigation-Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 USC section 1983. Due process and related claims against public and private actors (Dennis v. Sparks). Brief description of cause: A total of four causes of action. Conspiracy to violate civil rights by public and private actors.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P. DEMAND \$ 15,000,000.00 CHECK YES only if demanded in complaint: JURY DEMAND: XXX Yes No

VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only) XXX SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE

DATE 12/21/2018

SIGNATURE OF ATTORNEY OF RECORD

Signature of Russell A. Robinson

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-CAND 44

Authority For Civil Cover Sheet. The JS-CAND 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 in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate 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 Federal Rule of Civil Procedure 8(a), 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.
- (1) United States plaintiff. Jurisdiction based on 28 USC §§ 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - (2) United States defendant. When the plaintiff is suing the United States, its officers or agencies, place an “X” in this box.
 - (3) Federal question. This refers to suits under 28 USC § 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.
 - (4) Diversity of citizenship. This refers to suits under 28 USC § 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; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS-CAND 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 clerk(s) 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 six boxes.
- (1) Original Proceedings. Cases originating in the United States district courts.
 - (2) Removed from State Court. Proceedings initiated in state courts may be removed to the district courts under Title 28 USC § 1441. When the petition for removal is granted, check this box.
 - (3) Remanded from Appellate Court. Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - (4) Reinstated or Reopened. Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - (5) Transferred from Another District. For cases transferred under Title 28 USC § 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - (6) Multidistrict Litigation Transfer. Check this box when a multidistrict case is transferred into the district under authority of Title 28 USC § 1407. When this box is checked, do not check (5) above.
 - (8) Multidistrict Litigation Direct File. Check this box when a multidistrict litigation case is filed in the same district as the Master MDL docket. Please note that there is no Origin Code 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- 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 Federal Rule of Civil Procedure 23. Demand. In this space enter the actual dollar amount 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-CAND 44 is used to identify related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- IX. Divisional Assignment.** If the Nature of Suit is under Property Rights or Prisoner Petitions or the matter is a Securities Class Action, leave this section blank. For all other cases, identify the divisional venue according to Civil Local Rule 3-2: “the county in which a substantial part of the events or omissions which give rise to the claim occurred or in which a substantial part of the property that is the subject of the action is situated.”
- Date and Attorney Signature.** Date and sign the civil cover sheet.