

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

United States of America,

Plaintiff,

Case No.

v.

JURY TRIAL DEMANDED

David Jones & D Jones Properties LLC,

Defendants.

COMPLAINT

The United States of America alleges as follows:

NATURE OF THE ACTION

1. This action is brought by the United States to enforce Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (“Fair Housing Act” or “FHA”), 42 U.S.C. §§ 3601-3631. It is brought on behalf of Complainant [REDACTED] pursuant to 42 U.S.C. § 3612(o).

2. During her tenancy at the Defendants’ property, Defendants subjected Ms. [REDACTED] to one or more discriminatory housing practices in violation of the FHA, including severe, pervasive, and unwelcome sexual harassment.

JURISDICTION AND VENUE

3. This Court has jurisdiction over this action under 28 U.S.C. §§ 1331 and 1345 and 42 U.S.C. § 3612(o)(1).

4. Venue is proper under 28 U.S.C. § 1391(b) because the events giving rise to the claims alleged in this complaint occurred in the Eastern District of Wisconsin, and because the Defendants and property at issue in this action are located in this district.

5. The Attorney General is authorized by 42 U.S.C. § 3612(o) to commence this civil action to enforce the Fair Housing Act.

THE PARTIES AND SUBJECT PROPERTY

6. Plaintiff is the United States of America.

7. The residential property at issue in this action is an apartment building located at 409 N. Ashland Ave. Apt. A, Green Bay, Wisconsin (the “Subject Property”).

8. The Subject Property is a “dwelling” within the meaning of 42 U.S.C. § 3602(b).

9. At all relevant times, the Subject Property was owned by Defendant D Jones Properties LLC and managed by Defendant David Jones.

10. Mr. Jones is a resident of the state of Wisconsin.

FACTUAL ALLEGATIONS

11. In early September of 2021, Complainant [REDACTED] was in desperate need of housing.

12. After a period of homelessness, she made the decision to relocate from Milwaukee to Green Bay to move in with her grandmother.

13. Ms. [REDACTED] was twenty-four years old at the time and had a two-year-old son.

14. Although Ms. [REDACTED] was grateful for her grandmother’s assistance, she considered the situation temporary as she wanted to be independent.

15. Ms. [REDACTED] grandmother lived in a property managed by Mr. Jones.

16. Based on her grandmother’s referral, Ms. [REDACTED] reached out to Mr. Jones to see if he had an apartment available for her to rent.

17. Mr. Jones informed her that he might have an opening, and they agreed to meet in person to complete a rental application.

18. During that meeting, Mr. Jones asked her questions about her personal life, such as “Where’s the boyfriend?” He also made statements like “Don’t be having no little boys over,” and “I know how you young girls be.”

19. These comments and Mr. Jones’ behavior made Ms. [REDACTED] uncomfortable, but she needed a home so she tried to ignore them.

20. Mr. Jones understood that Ms. [REDACTED] planned to use rental assistance to pay for her rent and agreed to work with her to submit an application.

21. Mr. Jones approved Ms. [REDACTED]’ application that same day, and they signed a month-to-month rental agreement for the Subject Property.

22. Ms. [REDACTED] and her son moved into the property on September 15, 2021.

23. After they moved in, Mr. Jones started coming by Ms. [REDACTED]’ home multiple times per week and behaved in ways that made her uncomfortable, anxious, and fearful.

24. Mr. Jones did not give Ms. [REDACTED] advance notice as to what time he would be coming over, and he often used his own set of keys to enter her home without knocking.

25. Because Mr. Jones frequently said things that made Ms. [REDACTED] uncomfortable, she purchased a voice recorder and began to record some of their conversations.

26. Approximately two weeks after she moved in, Mr. Jones came to the property to work on the furnace. Ms. [REDACTED] and her son tried to walk past Mr. Jones, but he grabbed Ms. [REDACTED] by the hips and pulled her to him. She pushed him to the ground, grabbed her son, and ran up the stairs.

27. Ms. [REDACTED] later confronted Mr. Jones about this interaction in a recorded conversation, asking “you’re not going to try to hug me as you—again,” to which Mr. Jones responded, “You know what? I ain’t going to mess with you no more. You don’t like it, no.”

28. Later in that same conversation Mr. Jones said, “I’m a man, though” and that he had “to be strong.” When Ms. [REDACTED] asked him what he meant by that, he said something about “temptation.”

29. Another time, Ms. [REDACTED] was taking a nap in her home and she awoke to Mr. Jones standing over her. He then asked to use her bathroom.

30. She later told him that this scared her, stating in a recorded conversation, “It just startled me when you came up there the other time. I’m like, whoa. It scared me. I’m not used to men—”

31. Mr. Jones then cut in: “Yeah, you not used to looking up and seeing no man there now.”

32. Additionally, during various conversations, Mr. Jones would regularly make comments that made Ms. [REDACTED] uncomfortable and were unwelcome, such as speculating that she was a “dancer,” asking her if she liked wine, telling her that he had a Corvette and a nice house, and asking her if she was into older men.

33. In one recorded conversation with Ms. [REDACTED], Mr. Jones said, “If I wasn’t a landlord, shit, I could say all kinds of things[.]” When Ms. [REDACTED] asked him what he meant, Mr. Jones explained, “I’m saying say if you—if you’re just a regular guy, you can say anything you want to say to girls.”

34. Later on in that conversation, Mr. Jones commented that he had “managed to . . . behave myself.”

35. Another tenant who lived in the same building as Ms. [REDACTED] noticed Mr. Jones’ unusual behavior towards Ms. [REDACTED].

36. The tenant told the U.S. Department of Housing and Urban Development (“HUD”) that she thought it was strange that he was coming over to the property so frequently and believed that he had a crush on Ms. [REDACTED]

37. The tenant also said that Mr. Jones had questioned her about Ms. [REDACTED]’ personal life, asking if Ms. [REDACTED] had people over to the property.

38. Meanwhile, it became apparent to Ms. [REDACTED] that her unit was in need of various repairs.

39. In October of 2021, Ms. [REDACTED] told Mr. Jones that she believed there was a gas leak.

40. She texted Mr. Jones multiple times explaining that she smelled gas and that her heat didn’t work.

41. In early November of 2021, Mr. Jones turned off the gas at the meter, leaving Ms. [REDACTED] without a functioning stove, without hot water, and with no central heat. Although he brought a space heater, it was not enough to keep the unit warm.

42. On November 5, 2021, Ms. [REDACTED] texted Mr. Jones yet again asking when the gas would be turned back on, stating “I can’t live daily with no water and without cooking. I have a child.”

43. When Mr. Jones failed to adequately respond, Ms. [REDACTED] decided to call the city to report the issue.

44. The city worker noted that the “gas was turned off at the meter, landlord is working on the furnace.” The worker capped the piping at the furnace and turned the gas back on.

45. Even with the gas restored, however, the furnace was still not working properly, and Ms. [REDACTED] continued to request that Mr. Jones repair this.

46. Because he made her uncomfortable, Ms. [REDACTED] asked that Mr. Jones let her know when he would be coming over so that she could be out of the house.

47. During one recorded conversation, Ms. [REDACTED] pressed Mr. Jones to provide a specific time that he would be coming over for repair work, at which point Mr. Jones became irritated, stating “I’m not a German Shepherd. I’m not going to bite you.”

48. Ms. [REDACTED] retorted: “Well, you already done grabbed me, so I don’t know what you’re going to do.”

49. In response, Mr. Jones stated: “I’m just saying. I’m just saying why is it that you’re say you can’t be there because I’m there? You know what? I’ll tell you what, if you on a man’s property, and you can’t stand for him to—come on. Come on.”

50. Eventually, Ms. [REDACTED] hired her mother’s friend to install a 2x4 in a bracket on the inside of her front door to prevent Mr. Jones from entering Ms. [REDACTED] property unannounced while she was inside.

51. By February of 2022, the heat still was not working properly, and so on February 10, 2022, Ms. [REDACTED] again called the city to report the issue.

52. A city worker inspected the property later that same day and found violations of four city code ordinances, including Green Bay Ordinance § 8-594(c)(1) which requires every dwelling to have functioning heating facilities. The order further provided that the heater must be “repaired or replaced by a licensed contractor.”

53. A few weeks later, Ms. [REDACTED] came home and found that Mr. Jones had removed the 2x4 and bracket that she had previously installed.

54. On March 9, 2022, Ms. [REDACTED] sent Mr. Jones a text message complaining about him removing the 2x4 and bracket, which stated in relevant part:

Because of your unprofessional behavior . . . you asking for a hug and just grabbing me without permission as well as you walking in my room made me very uncomfortable

So I put the 2x4 up for MY peace of mind you have seen it SEVERAL TIMES AND NEVER SAID A THING

NOW ALL OF A SUDDEN YOU SAY THIS IS YOUR PROPERTY AND THE BOLT ISNT SUPPOSE TO BE THERE.

That's very disturbing and disruptive to my peace.

55. Later that same day Mr. Jones issued a "lease termination notice" stating that Ms. [REDACTED] lease would be terminated on April 14, 2022. Mr. Jones provided no reason for the termination and he took this action in retaliation for Ms. [REDACTED] sending the text message described above and otherwise resisting his advances.

56. On April 20, 2022, Mr. Jones filed an eviction suit against Ms. [REDACTED] in state court.

57. While the eviction action was pending, Ms. [REDACTED] filed a fair housing complaint with HUD on August 1, 2022. A letter notifying Mr. Jones of this complaint was mailed out on August 1, 2022, and Ms. [REDACTED] also informed Mr. Jones that she had filed the complaint.

58. A final eviction hearing was held on August 4, 2022.

59. At the time of the hearing, Ms. [REDACTED] rent had been paid through July 2022 by rent assistance and she had been approved for additional payments through September.

60. Nevertheless, Mr. Jones asked the court to issue an order of eviction; the court granted this request on August 4, 2022, with an effective date of August 31, 2022.

61. Mr. Jones evicted Ms. [REDACTED] in retaliation for her asserting her right to be free from sex discrimination in housing under the Fair Housing Act.

62. Left with no other choice, Ms. [REDACTED] and her son moved out of their home at the end of August 2022.

63. Mr. Jones' conduct caused Ms. [REDACTED] to suffer economic damages, a loss of a housing opportunity, and significant fear, anxiety, and emotional distress.

HUD ADMINISTRATIVE PROCESS

64. As noted above, on August 1, 2022, Ms. [REDACTED] filed a timely complaint of housing discrimination with HUD, pursuant to 42 U.S.C. § 3610(a), naming Mr. Jones and D Jones Properties LLC as respondents.

65. Pursuant to 42 U.S.C. § 3610, the Secretary of HUD conducted and completed an investigation of the complaint, attempted conciliation without success, and prepared a final investigative report.

66. Based on the information gathered in the investigation, the Secretary of HUD, pursuant to 42 U.S.C. § 3610(g)(1), determined that reasonable cause existed to believe that the Defendants violated the Fair Housing Act.

67. On June 5, 2025, the Secretary of HUD issued a Charge of Discrimination, pursuant to 42 U.S.C. § 3610(g)(2)(A).

68. On June 24, 2025, Ms. [REDACTED] elected to have the charge resolved in a federal civil action, pursuant to 42 U.S.C. § 3612(a).

69. The Secretary of HUD subsequently authorized the Attorney General to file this action on behalf of Ms. [REDACTED] pursuant to 42 U.S.C. § 3612(o).

VIOLATIONS OF THE FAIR HOUSING ACT

70. The United States realleges and incorporates by reference the allegations set forth above.

71. By the actions and statements describe above, Defendants have:

- a. Denied dwellings or otherwise made dwellings unavailable because of sex, in violation of 42 U.S.C. § 3604(a);

- b. Discriminated in the terms, conditions, or privileges of the rental of a dwelling, or in the provision of services or facilities in connection therewith, because of sex, in violation of 42 U.S.C. § 3604(b);
- c. Made statements with respect to the rental of dwellings that indicate a preference, a limitation, or discrimination based on sex, in violation 42 U.S.C. § 3604(c); and
- d. Coerced, intimidated, threatened, or interfered with a person in the exercise or enjoyment of, or on account of him or her having exercised or enjoyed, or on account of him or her having aided or encouraged any other person in the exercise or enjoyment of, a right granted or protected by 42 U.S.C. § 3604, in violation of 42 U.S.C. § 3617.

72. As a result of Defendants' conduct, [REDACTED] has been injured and is an "[a]ggrieved person" as defined by 42 U.S.C. § 3602(i).

73. Defendants' discriminatory conduct was intentional, willful, and/or taken in disregard of the rights of Ms. [REDACTED]

PRAYER FOR RELIEF

WHEREFORE, the United States requests that this Court enter an order:

- 1. Declaring that Defendants' actions, policies, and practices, as alleged in this Complaint, violate the Fair Housing Act;
- 2. Enjoining Defendants, their officers, employees, agents, successors, and all other persons in active concert or participation with them, from:
 - a. Discriminating on the basis of sex, including engaging in sexual harassment, in any aspect of the rental of a dwelling;

- b. Coercing, intimidating, threatening, or interfering with any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by the Fair Housing Act;
 - c. Failing or refusing to take such affirmative steps as may be necessary to restore, as nearly as practicable, the victims of the Defendants' past unlawful practices to the position they would have been in but for the discriminatory conduct; and
 - d. Failing or refusing to take such affirmative steps as may be necessary to prevent the recurrence of any discriminatory conduct in the future and to eliminate, as nearly as practicable, the effects of the Defendants' unlawful practices;
3. Ordering Defendants to take such actions as may be necessary to prevent the recurrence of any discriminatory conduct in the future and to eliminate, to the extent practicable, the effects of their unlawful conduct, including implementing policies and procedures to ensure that no applicants or residents are discriminated against on the basis of sex;
4. Awarding [REDACTED] monetary damages, including actual and punitive damages, under 42 U.S.C. §§ 3612(o)(3) and 3613(c)(1) for injuries caused by Defendants' violations of the Act; and
5. Awarding such additional relief as the interests of justice may require.

Respectfully submitted this 24th day of July, 2025.

RICHARD G. FROHLING
Acting United States Attorney

By: *s/ Niabi K. Schmaltz*

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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 NEXT PAGE OF THIS FORM.)

Place an "X" in the appropriate box (required): ☒ Green Bay Division ☐ Milwaukee Division

I (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Niabi Schmaltz -- U.S. Attorney's Office for the Eastern District of WI
517 E Wisconsin Ave, Ste 530, Milwaukee, WI 53202
(414) 297-4516

DEFENDANTS

David Jones & D Jones Properties LLC

County of Residence of First Listed Defendant Brown County

(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

Philip J. Danen -- Roels, Keidatz, Fronsee & Danen, LLC
515 George St, De Pere, WI 54115
(920) 336-4242

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

- ☒ 1 U.S. Government Plaintiff ☐ 3 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)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input 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 type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input 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 |

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

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability		PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability		<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	LABOR	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	SOCIAL SECURITY	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	IMMIGRATION	FEDERAL TAX SUITS	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input checked="" type="checkbox"/> 443 Housing/Accommodations			<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment			<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other			
	<input type="checkbox"/> 448 Education			
	PRISONER PETITIONS			
	<input type="checkbox"/> 463 Alien Detainee			
	<input type="checkbox"/> 510 Motions to Vacate Sentence			
	<input type="checkbox"/> 530 General			
	<input type="checkbox"/> 535 Death Penalty			
	Other:			
	<input type="checkbox"/> 540 Mandamus & Other			
	<input type="checkbox"/> 550 Civil Rights			
	<input type="checkbox"/> 555 Prison Condition			
	<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. 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 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 U.S.C. § 3604

Brief description of cause:

Housing discrimination on the basis of sex

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See updated instructions):

JUDGE

DOCKET NUMBER

DATE

07/24/2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Niabi Schmaltz

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

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INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 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 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. 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 Rule 8(a), F.R.Cv.P., 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.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 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.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 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 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 there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN 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 Rule 23, F.R.Cv.P.
 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 44 is used to reference related pending and **previously filed** cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases **and file a Notice of Related Action pursuant to Civil L.R. 3(b).**

Date and Attorney Signature. Date and sign the civil cover sheet.