

FILED

1 Paul Hoffman (SBN 071244)  
2 Catherine Sweetser (SBN 271142)  
3 SCHONBRUN DESIMONE SPELOW  
4 HARRIS HOFFMAN & HARRISON LLP  
5 723 Ocean Front Walk  
6 Venice CA 90291  
7 Telephone: (310) 396-0731  
8 Fax: (310) 399-7040

2012 AUG 23 PM 2:16

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY: \_\_\_\_\_

Attorneys for Plaintiff  
DENIA DUFFY

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

9  
10 DENIA DUFFY

CASE NO. **CV12-7258** JFW(SHX)

11 Plaintiff,

COMPLAINT; JURY DEMAND;  
SUMMONS

12 vs.

13 PAE GOVERNMENT SERVICES,  
14 INC.,

15 Defendant.

16  
17  
18  
19  
20 COMPLAINT

21 Plaintiff, DENIA DUFFY, for her complaint against defendant PAE,  
22 INC., states the following:

23 JURISDICTION AND VENUE

24 1. This action arises under Title VII of the Civil Rights Act of  
25 1964, 42 U.S.C. §§2000e-5(f)(1) and (3), and Title I of the Civil Rights Act of  
26 1991, 42 U.S.C. §§ 1981 & 1981(a). This Court has jurisdiction over this matter  
27 pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343 and 1345.  
28

1 2. At all times relevant to this complaint, the Defendant, PAE  
2 GOVERNMENT SERVICES, INC., ("PAE") was a wholly owned subsidiary of  
3 LOCKHEED MARTIN, CORP ("Lockheed"). PAE is registered with the state of  
4 California and does business within the Central District and, therefore, jurisdiction  
5 and venue in proper in this Court pursuant to 28 U.S.C. §§ 91 & 1391.

6 3. All conditions precedent to initiate this lawsuit have been  
7 fulfilled.

#### 8 PARTIES

9 4. Plaintiff DENIA DUFFY ("Plaintiff" or "Duffy") is a resident  
10 of Texas. Ms. Duffy's race is African-American.

11 5. PAE GOVERNMENT SERVICES, INC., ("PAE" or  
12 "Employer") is a foreign corporation. PAE does business in the Central District,  
13 under Lockheed's direction and control, and has more than 15 employees. Since  
14 2011, PAE is a wholly owned subsidiary of the private equity firm Lindsay  
15 Goldberg, LLC.

16 6. At all times relevant to this Complaint, the acts taken by PAE's  
17 agents, officers and employees described in this complaint were performed within  
18 the course and scope of their employment and on behalf of PAE.

#### 19 FACTUAL ALLEGATIONS

20 7. From 2007 through August 2008, Ms. Duffy was employed by  
21 PAE. Her work met performance expectations and her work reviews were  
22 satisfactory or above.

23 8. Plaintiff was hired at the PAE office in Los Angeles,  
24 California. Plaintiff's work team's home base was in Djibouti.

25 9. Ms. Duffy is African-American and female and was subjected  
26 to discrimination, harassment, retaliation and hostile work environment by PAE  
27 because of her race and gender.

28 10. During the course of her employment at PAE, Ms. Duffy was

1 subjected to repeated acts of gender-based and racial discrimination, retaliation  
2 and hostility by her supervisors, while employed by PAE.

3 11. Ms. Duffy's team traveled from the United States to Djibouti.

4 12. The composition of Ms. Duffy's team did not change for most  
5 of that time.

6 13. During the time of her employment, Ms. Duffy was a frequent  
7 target of gender-based and racial discrimination and harassment, physical threats  
8 and abuse, by supervisors and co-workers.

9 14. Ms. Duffy was subjected to ongoing sexual harassment and a  
10 hostile work environment, which included sexual vulgarities and touching by her  
11 supervisor, Mr. Cedric Hardy.

12 15. Mr. Hardy routinely made crude unwelcome sexual comments  
13 and engaged in unwanted touching, including, without limitation:

14 a. Telling Ms. Duffy that Mr. Hardy had made a bet with a  
15 co-worker related to putting "arthritis cream on his d\*ck."

16 b. Asking Ms. Duffy if she would consider it "cheating" on her if  
17 her boyfriend "let someone give him head."

18 c. Making unwelcome sexual advances stroking Ms. Duffy's face  
19 and touching her without her permission.

20 d. Using his position of authority to degrade, humiliate and  
21 demean Ms. Duffy when it became clear to him that this sexual advances were  
22 unwelcome.

23 e. On December 9, 2007, Mr. Hardy discussed his remarks about  
24 the arthritis cream in the presence of Mr. Harris, the logistics manager, and Mr.  
25 Epperson, the Human Resources manager, denying he said "d\*ck" and stating  
26 instead that he used the word "penis," but otherwise admitting the remark while  
27 repeating it.

28 16. After reporting the harassment and hostile environment, Ms.

1 Duffy was forced to continue working with Mr. Hardy. Mr. Harris, Mr. Hardy's  
2 friend, was assigned by Ms. Chelle Berry, a PAE Human Resources manager, to  
3 investigate the events reported by Ms. Duffy. Mr. Hardy continued harassing Ms.  
4 Duffy and created a hostile work environment, during the "investigation."

5 17. After the initial report to her supervisors on December 9, 2007,  
6 in which Mr. Hardy admitted his actions, Ms. Duffy was subjected to increasingly  
7 severe hostility and retaliation by Mr. Hardy and his friends.

8 18. Mr. Hardy shouted at and demeaned Ms. Duffy in the work  
9 area in front of her co-workers.

10 19. He assigned her impossible tasks, referred to her as a "crack  
11 head" and verbally abused her daily.

12 20. The retaliation and hostility substantially affected Ms. Duffy's  
13 employment and working conditions.

14 21. It caused her such severe emotional distress that she required  
15 medical care, of which PAE was fully aware.

16 22. Mr. Hardy was permitted to continue working as Ms. Duffy's  
17 supervisor, conveying the direct message that his conduct was endorsed by PAE.

18 23. Similar complaints by other women who were not African  
19 American were investigated and dealt with promptly, with the harassers being  
20 removed in a few days, rather than permitting the supervisor to continue in a  
21 position of authority over the target of the harassment.

22 24. Other women reported similar harassment by Mr. Hardy,  
23 including Leticia Calhoun. After Ms. Calhoun complained of Mr. Hardy's  
24 conduct, she, too, was the subject of retaliation, contributing further to the hostile  
25 environment.

26 25. Unlike Ms. Duffy, however, Ms. Calhoun was permitted to  
27 transfer to another work area not under Mr. Hardy's supervision.

28 26. After Ms. Duffy's report about Mr. Hardy's conduct, he began

1 assigning her more work than her co-workers, including tasks that could not be  
2 performed in the time allotted or existing conditions. In February 2008, Ms.  
3 Duffy contacted Ms. Chelle Berry, Human Resource Manager, in reference to a  
4 sexually oriented e-mail she received from a co-worker, Kirk Francis.

5           27. After the report, Mr. Francis openly referred to Ms. Duffy as  
6 "the trouble maker". Ms. Duffy went through months of open hostility and  
7 taunting from Mr. Francis. Nothing was done to stop this harassment, hostility  
8 and retaliation.

9           28. After reporting Mr. Francis's harassment, Ms. Duffy then  
10 began to be harassed by other members of her office work group.

11           29. Mr. Francis and Ms. Katlin Cspeli would make offensive  
12 remarks, bang on Ms. Duffy's desk, and turn on music on a radio to interfere with  
13 Ms. Duffy's work. Knowing she objected to such "music," Ms. Duffy was forced  
14 to listen to songs laced with profanity. When she reported these events to the  
15 Human Resource Department and her manager, she was told that the allegations  
16 could not be substantiated.

17           30. Ms. Duffy was constantly blamed for any error made in the  
18 office, was subjected to greater and more harsh scrutiny than her co-workers,  
19 teased, badgered, humiliated and had her work intentionally impeded, daily. Her  
20 supervisors were aware of and contributed to these discriminatory and hostile acts.

21           31. Ms. Duffy's co-workers spoke about her critically and  
22 dismissively, insulting her dignity and showing great disrespect.

23           32. Ms. Duffy was given more work than her co-workers were  
24 required to do.

25           33. Ms. Duffy's work met the expectations and requirements of her  
26 job.

27           34. Ms. Duffy spoke with a Human Resources representative on  
28 March 2, 2008, regarding what was becoming unbearable daily harassment,

1 hostility and retaliation, in the form of statements, gestures and actions that  
2 interfered with her work.

3 35. Ms. Duffy was told "watch yourself" and "check your  
4 attitude."

5 36. Ms. Duffy informed Ms. Chelle Berry, the Human Resource  
6 Manager, of the discrimination, harassment and hostile environment.

7 37. When she reported these discriminatory, harassing actions and  
8 the hostile environment they created, Ms. Duffy was told by Ms. Berry that her  
9 reports "could not be substantiated."

10 38. Ms. Duffy was forced to report to the medical unit on several  
11 occasions, because her blood pressure was elevated as a direct and proximate  
12 result of these discriminatory, harassing, retaliatory actions and the hostile  
13 environment they created.

14 39. Ms. Duffy was prescribed an anti-depressant (Lexapro) to treat  
15 the extreme emotional, psychological, physical sickness and disease she suffered  
16 as a direct and proximate result of these discriminatory, harassing, retaliatory  
17 actions and the hostile environment they created.

18 40. Ms. Duffy's supervisors knew of and permitted discriminatory,  
19 harassing actions and the hostile environment they created. By their tolerance and  
20 inaction, these supervisors directly encouraged further discriminatory, harassing,  
21 retaliatory actions and the hostile environment they created.

22 41. Ms. Duffy's supervisors took no meaningful action to  
23 investigate or eliminate the discriminatory, harassing, retaliatory actions and the  
24 hostile environment they created.

25 42. Criticism of Ms. Duffy increased, in retaliation for her reports,  
26 and she had to continuously defend herself and her actions within the office.

27 43. From March 2008 through August 2008 she suffered  
28 continuous discrimination, harassment, retaliation and hostile work environment.

1           44. Instead of investigating, eliminating and preventing the  
2 discrimination, harassment, retaliation and hostile work environment, Ms. Duffy's  
3 supervisors knowingly overlooked and ignored the facts.

4           45. Ms. Duffy was knowing and purposely isolated and alienated  
5 in the office by her supervisors, including Mr. Dustin Carmichael, and her  
6 co-workers.

7           46. Dustin Carmichael asked all the employees in the office to  
8 write a statement regarding Ms. Duffy's work and conduct. She found Mr.  
9 Carmichael's behavior to be offensive, degrading and embarrassing.

10           47. Mr. Carmichael's behavior further ostracized Ms. Duffy.  
11 Several of Ms. Duffy's co-workers were afraid to be seen talking to her out of fear  
12 of being targets of harassment, retaliation or even termination. The work  
13 environment was hostile daily and her supervisors allowed this to continue  
14 without any remedy, hoping Ms. Duffy would resign.

15           48. Local Djiboutian employees told Ms. Duffy that her  
16 supervisors had instructed them not to interact with or speak with her, under  
17 threats of termination.

18           49. Ms. Duffy was required to justify her daily actions, putting her  
19 under a tremendous amount of emotional, psychological and physical stress from  
20 this continuous discrimination, harassment, retaliation and hostile work  
21 environment.

22           50. In June, when the loud vulgar music was again interfering with  
23 her work, Ms. Duffy reported this to Human Resource Specialist Ms. Donia  
24 Anaim. No action was taken to remedy these harassing retaliatory actions.

25           51. Ms. Duffy finally contacted Mr. Jack Blakely, Program  
26 Manager, and asked that he investigate or eliminate the discriminatory, harassing,  
27 retaliatory actions and the hostile environment they created. Mr. Blakely told her  
28 an investigation was underway.

1           52. On or about July 26, 2008, Mr. Clemente, a medic, informed  
2 Ms. Duffy that his supervisor, Mr. Slater, told him that "you know you are going  
3 to get in trouble and lose your job." Mr. Clemente said "Why?" He was told that  
4 he would be terminated "because you are always helping Ms. Duffy."

5           53. When Mr. Clemente reminded him that he was a medic  
6 assigned to provide care to Ms. Duffy, Mr. Slater asked Mr. Clemente to see if he  
7 could obtain confidential military medical information regarding Ms. Duffy.

8           54. In addition to her supervisors and Human Resources personnel,  
9 Ms. Duffy reported the discriminatory, harassing, retaliatory actions and the  
10 hostile environment they created to PAE's ethics office.

11           55. After her initial report, and Mr. Hardy's subsequent  
12 replacement, Mr. Epperson told Ms. Duffy's co-worker Violet Brantley that PAE  
13 had a "surprise" for Ms. Duffy and that PAE was going to use her new supervisor  
14 to "get rid of" Ms. Duffy, by assigning her work to complete on the computer and  
15 using any error to terminate her.

16           56. In addition to Ms. Berry, Human Resource Manager, from  
17 February 2008 through August 2008, Ms. Duffy contacted PAE Human Resource  
18 Manager, Martha McMullen, in the United States, reporting the discriminatory,  
19 harassing, retaliatory actions and the hostile environment they created and asked  
20 for relief.

21           57. Ms. Duffy also contacted the Ethics Officer, Ms. Ellen Daly, in  
22 the United States, reporting the discriminatory, harassing, retaliatory actions and  
23 the hostile environment they created and asked for relief.

24           58. During her employment, Ms. Duffy observed other  
25 African-American employees were subjected to discriminatory, harassing,  
26 retaliatory actions and a hostile environment, to which White employees were not  
27 subjected, in work assignments, contract renewals and bonuses.

28           59. As a direct and proximate result of the events alleged, Ms.



1 Duffy's contract was not renewed and her employment with PAE ended on August  
2 23, 2008.

3 60. Ms. Duffy would have continued working for PAE but for the  
4 events alleged.

5 **FIRST CLAIM FOR RELIEF**

6 **(42 U.S.C. § 1981)**

7 61. Plaintiff incorporates by reference the paragraphs above.

8 62. PAE has engaged in unlawful racial discrimination prohibited  
9 by 42 U.S.C. § 1981. The discrimination includes differential treatment toward  
10 Ms. Duffy on the basis of her race or color.

11 63. PAE's actions were intentional.

12 64. PAE's actions were malicious or with reckless disregard for  
13 Ms. Duffy's rights protected by federal law.

14 65. PAE's unlawful conduct has deprived Ms. Duffy of equal  
15 employment opportunities and caused her economic, physical pain and sickness  
16 and emotional harm for which PAE is proximately and legally responsible.

17 **SECOND CLAIM FOR RELIEF**

18 **(Discrimination, Harassment, Hostile Work Environment and**  
19 **Retaliation Prohibited under Title VII)**

20 66. Plaintiff incorporates by reference the paragraphs above.

21 67. PAE has engaged in unlawful discrimination, harassment,  
22 retaliation and subjected Plaintiff to a hostile work environment prohibited by  
23 Section 703(a)(1) of Title VII, 42 U.S.C. §2000e-2(a)(1) on the basis of her race,  
24 African-American, and gender, female.

25 68. These practices include subjecting Ms. Duffy to  
26 discrimination, harassment, retaliation and to a hostile work environment based on  
27 her race, African-American, and gender, female.

28 69. Defendant has engaged in unlawful practices at its work sites in

1 violation of section 704(a) of Title VII, 42 U.S.C. §2000e-3(a).

2 70. Defendant's actions were intentional, malicious or with reckless  
3 disregard for Ms. Duffy's rights protected by federal law.

4 71. PAE's unlawful conduct has deprived Ms. Duffy of equal  
5 employment opportunities and caused her economic, physical pain and sickness  
6 and emotional harm for which PAE is proximately and legally responsible.

7 WHEREFORE, Plaintiff respectfully requests judgment be entered  
8 against PAE for:

- 9 1. A declaration that PAE's actions were unlawful;
- 10 2. General damages in an amount to be proved at trial;
- 11 3. Special damages in an amount to be proved at trial;
- 12 4. Punitive damages in an amount to be proved at trial;
- 13 5. Injunctive relief as the Court determines proper;
- 14 6. Attorneys' fees, costs of suit and pre-judgment interest; and
- 15 7. Such other relief as the Court deems appropriate.

16  
17  
18 Dated: August 23, 2012

SCHONBRUN DeSIMONE SEPLOW  
HARRIS HOFFMAN AND HARRISON LLP

19  
20 By: 

21 Paul L. Hoffman  
22 Catherine Sweetser  
23 Attorneys for Plaintiff  
24 Denia Duffy

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**JURY DEMAND**

Plaintiff hereby demands a jury on matters subject to jury determination in this action.

Dated: August 23, 2012

SCHONBRUN DeSIMONE SEPLOW  
HARRIS HOFFMAN AND HARRISON LLP

By:  \_\_\_\_\_

Paul L. Hoffman  
Catherine Sweetser  
Attorneys for Plaintiff  
Denia Duffy

Paul L. Hoffman (SBN 071244)  
Catherine Sweetser (SBN 271142)  
SCHONBRUN DeSIMONE SEPLow  
HARRIS HOFFMAN & HARRION, LLP  
723 Ocean Front Walk, Venice, CA 90291  
Telephone (310) 396-0731

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DENIA DUFFY

CASE NUMBER

CV12-7258 JAW(SHX)

PLAINTIFF(S)

v.

PAE GOVERNMENT SERVICES, INC.,

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S):

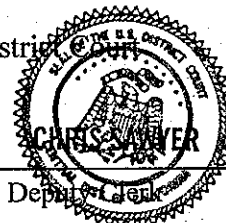
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached  complaint  amended complaint  counterclaim  cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Paul Hoffman and Catherine Sweetser, whose address is 723 Ocean Front Walk Venice CA 90291. If you fail to do so, 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.

Dated: 8-23-12

Clerk, U.S. District

By: \_\_\_\_\_



Deputy Clerk

1149  
(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**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"/> DENIA DUFFY	<b>DEFENDANTS</b> PAE GOVERNMENT SERVICES, INC.
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  Paul L. Hoffman, Catherine Sweetser Schonbrun DeSimone Seplow Harris Hoffman & Harrison, LLP 723 Ocean Front Walk, Venice, CA 90291 Tel: (310) 396-0731	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 checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input 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></td> <td align="center"><b>PTF</b></td> <td align="center"><b>DEF</b></td> <td></td> <td align="center"><b>PTF</b></td> <td align="center"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input 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 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 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 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
	<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>																				
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. 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.)

42 U.S.C. §§2000e-5(f)(1) and (3), and Title I of the Civil Rights Act of 1991, 42 U.S.C. §§ 1981 & 1981(a).

**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 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 checked="" 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>FOREIGNER 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 type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<b>TORTS</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
--	--	--	--	--	---

CV12-7258

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_

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

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): \_\_\_\_\_

**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
	Texas

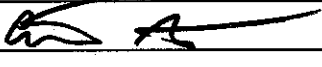
(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

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

(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	Djibouti

\* 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 8/23/12

**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))

**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 John F. Walter and the assigned discovery Magistrate Judge is Stephen J. Hillman.

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

**CV12- 7258 JFW (SHx)**

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.