

1 BUCHALTER NEMER  
A Professional Corporation  
2 RICHARD P. ORMOND (SBN: 207442)  
JESSIE K. REIDER (SBN: 237113)  
3 1000 Wilshire Boulevard, Suite 1500  
Los Angeles, CA 90017-2457  
4 Telephone: (213) 891-0700  
Facsimile: (213) 896-0400  
5 Email: rormond@buchalter.com

6 Attorneys for Plaintiff  
DZ HART LTD. LIABILITY CO.

2010 JUN 17 PM 4:18  
U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

FILED

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

11 DZ HART LTD. LIABILITY CO.,  
a California limited liability  
12 company,

13 Plaintiff,

14 vs.

15 B.K. Taylor,

16 Defendant.

Case No. **CV10 4489 PSG (RCx)**

**DZ HART LTD. LIABILITY CO.'S  
COMPLAINT FOR  
DECLARATORY JUDGMENT**

18 Plaintiff DZ Hart Ltd. Liability Co. ("Plaintiff") alleges as follows:

19 **JURISDICTION AND VENUE**

20 1. This Court has jurisdiction under 28 U.S.C. §§ 1331, 1338, 2201 and  
21 2202. This is an action for declaratory judgment arising under the Copyright Act,  
22 17 U.S.C. § 101 *et seq.*

23 2. This Court has personal jurisdiction over Defendant B.K. Taylor  
24 ("Defendant") because Defendant, on information and belief, conducts business in  
25 the State of California and within this district, including the negotiation and/or  
26 execution of several agreements with Plaintiff.

1 3. Venue is proper in this court under 28 U.S.C. § 1391(b) because a  
2 substantial part of the events or omissions giving rise to this action and Defendant’s  
3 allegations of infringement occurred in this judicial district.

4 4. An actual case or controversy has arisen between the parties.  
5 Defendant has threatened litigation against Plaintiff, and has asserted that Plaintiff  
6 does not have ownership rights to certain intellectual property. These statements  
7 threaten injury to Plaintiff.

8 **THE PARTIES**

9 5. Plaintiff is a California limited liability company with a principal place  
10 of business in Calabasas, California.

11 6. Plaintiff is informed and believes and thereupon alleges that Defendant  
12 resides in the state of Michigan, and conducts significant business in the state of  
13 California.

14 **FACTS**

15 7. Plaintiff is the owner of certain intellectual property, including the  
16 ODD RODS trademark and rights to certain works of visual art, including artwork  
17 based on the Odd Rods characters (“Plaintiff IP”).

18 8. In or about October 26, 2006, Plaintiff and Defendant entered into a  
19 consulting agreement, whereby it was contemplated that the Defendant would  
20 design artwork for Plaintiff (“Consulting Agreement”). No products were ever  
21 created as a result of the Consulting Agreement and it was terminated by mutual  
22 agreement on or about January 15, 2009.

23 9. Since as early as March 2010, Plaintiff and its related entities have  
24 been negotiating with a third party to commercialize animated online  
25 advertisements based on the Plaintiff IP (“Project”).

26 10. The artwork for the Project has not yet been finalized by Plaintiff or its  
27 third party partners.

28

1           11. Defendant alleges that it created and owns all of the Odd Rods  
2 collection, a term which the Defendant does not define (“Disputed IP”).

3           12. On or about June 11, 2010, Defendant, through his attorney, contacted  
4 one of Plaintiff’s partners by e-mail. In that communication, Defendant advised of  
5 his belief that he owned the Disputed IP and that Plaintiff intended on using or  
6 incorporated the Disputed IP into the Project. Defendant further represented to  
7 Plaintiff’s partner that he had a previous cooperation agreement with the Plaintiff  
8 that related to the work to be included in the Project. Defendant fails to  
9 acknowledge however that this purported agreement was never executed by the  
10 Parties. Finally, Defendant contends that Plaintiff did not inform its partners of  
11 Defendant’s ownership of the Disputed IP and that Plaintiff’s partner should  
12 contact Defendant before the issue became a matter of litigation.

13           13. Upon receipt of this email, Plaintiff’s business partners contacted  
14 Plaintiff questioning whether Plaintiff had rights to Plaintiff IP, and whether the  
15 Project should move forward.

16           14. On or about June 14, 2010, Defendant sent Plaintiff’s partner an  
17 unexecuted discussion draft of a proposed cooperation agreement as between  
18 Plaintiff and Defendant that, if executed, would have governed the use of the  
19 Plaintiff’s IP and the Disputed IP. This agreement was never executed by the  
20 Parties. Defendant also sent Plaintiff’s partner a copy of a termination letter  
21 whereby the Consulting Agreement was terminated. Defendant’s representations  
22 gave the false implication that the proposed cooperation agreement was in fact  
23 executed and controlled the relationship between the Plaintiff and the Defendant.

24           15. Plaintiff denies that Defendant has, or ever had, exclusive rights to the  
25 Disputed IP.

26           16. To the extent Defendant ever had rights in the Disputed IP, said rights  
27 have lapsed due to abandonment and/or termination of all such rights. Upon  
28 information and belief, the original Odd Rods collection, to the extent not created

1 by the Plaintiff, is in the public domain. Further, to the extent Defendant does have  
2 any rights in and to the Disputed IP, the Plaintiff IP does not infringe the Disputed  
3 IP.

4 17. Plaintiff has never acknowledged Defendant's claimed rights in the  
5 Disputed IP.

6 18. Plaintiff denies that Plaintiff and Defendant ever entered into an  
7 agreement related to the Project or which acknowledges Defendant's rights in the  
8 Disputed IP.

9 19. Plaintiff denies that Defendant has any rights that can be enforced  
10 against Plaintiff, the Project, or Plaintiff IP.

11 **FIRST CLAIM FOR RELIEF**

12 Declaratory Judgment That Defendant Does Not Have  
13 Exclusive Rights to Disputed IP

14 20. Plaintiff repeats the averments in paragraphs 1 through 19, inclusive,  
15 as though fully set forth herein.

16 21. An actual controversy now exists between the parties as to whether the  
17 Defendant has exclusive rights to the Disputed IP.

18 22. By reason of the foregoing, Plaintiff is entitled to a declaratory  
19 judgment against Defendant that Defendant does not have exclusive rights to the  
20 Disputed IP.

21 **SECOND CLAIM FOR RELIEF**

22 Declaratory Judgment That Defendant Can Not  
23 Enforce Disputed IP Against Plaintiff

24 23. Plaintiff repeats the averments in paragraphs 1 through 19, inclusive,  
25 as though fully set forth herein.

26 24. An actual controversy now exists between the parties as to whether the  
27 Defendant can enforce the Disputed IP against the Plaintiff.  
28

1 25. By reason of the foregoing, Plaintiff is entitled to a declaratory  
2 judgment against Defendant that Defendant can not enforce the Disputed IP against  
3 Plaintiff or any of Plaintiff’s related entities or business partners.

4 **THIRD CLAIM FOR RELIEF**

5 Declaratory Judgment For Defendant’s Non-Interference

6 26. Plaintiff repeats the averments in paragraphs 1 through 19, inclusive,  
7 as though fully set forth herein.

8 27. An actual controversy now exists between the parties as to whether the  
9 Defendant is entitled to interfere with or have any involvement with the Plaintiff,  
10 the Project or the Plaintiff’s IP.

11 28. By reason of the foregoing, Plaintiff is entitled to a declaratory  
12 judgment against Defendant that Plaintiff and its related entities and business  
13 partner can proceed to commercialize the Plaintiff IP, and future versions,  
14 derivations and creations based on or incorporating the Plaintiff IP, without further  
15 interference from Defendant or Defendant’s agents or representatives.

16 **PRAYER FOR RELIEF**

17 **WHEREFORE**, Plaintiff prays that the Court enter judgment in its favor as  
18 follows:

19 **On the First Claim for Relief,**

20 29. A declaration that Defendant does not have exclusive rights to the  
21 Disputed IP;

22 30. Such other and further relief as the Court deems just and proper;

23 **On the Second Claim for Relief,**

24 31. A declaration that Defendant can not enforce the Disputed IP against  
25 Plaintiff or any of Plaintiff’s related entities or business partners;

26 32. Such other and further relief as the Court deems just and proper;

27 **On the Third Claim for Relief,**

28

1 33. A declaration that Plaintiff and its related entities and business partners  
2 can proceed to commercialize the Plaintiff IP, and future versions, derivations and  
3 creations based on or incorporating the Plaintiff IP, without further interference  
4 from Defendant or Defendant's agents or representatives;

5 34. Such other and further relief as the Court deems just and proper;

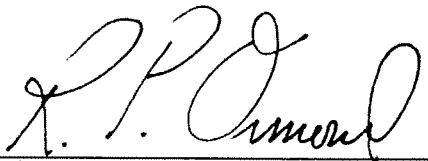
6 On All Claims for Relief,

7 35. For costs of suit; and

8 36. For such other and further relief as the Court may deem proper.

9 Respectfully submitted,

10 DATED: June 16, 2010

11  
12 By:   
13 RICHARD P. ORMOND  
14 JESSIE K. REIDER  
15 Attorneys for Plaintiff  
16 DZ HART LTD. LIABILITY CO.,  
17 a California limited liability company  
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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

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

This case has been assigned to District Judge Philip S. Gutierrez and the assigned discovery Magistrate Judge is Rosalyn M. Chapman.

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

**CV10- 4489 PSG (RCx)**

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.

RICHARD P. ORMOND SBN: 007442  
BUCHALTER NEMER  
A PROFESSIONAL CORPORATION  
1000 WILSHIRE BLVD., SUITE 1500  
LOS ANGELES, CA 90017  
TEL.: 213.891.0700  
FAX: e: 213.896.0400  
Email: rormond@buchalter.com

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

DZ HART LTD. LIABILITY CO., a California limited liability company

CASE NUMBER

PLAINTIFF(S)

v.

**CV10 4489 PSG (RCx)**

B. K. TAYLOR

DEFENDANT(S).

**SUMMONS**

TO:DEFENDANT(S): B.K. TAYLOR

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, RICHARD P. ORMOND, whose address is 1000 WILSHIRE BLVD., SUITE 1500, LOS ANGELES, CA 90017. 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.

Clerk, U.S. District Court

**CHRISTOPHER POWERS**

Dated: JUN 17 2010

By: \_\_\_\_\_  
Deputy Clerk

*(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"/> ) DZ HART LTD. LIABILITY CO., a California limited liability company	<b>DEFENDANTS</b> B.K. TAYLOR
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) RICHARD P. ORMOND BUCHALTER NEMER 1000 WILSHIRE BLVD., STE. 1500 LOS ANGELES, CA 90017 TEL: 213.891.0700	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</b> - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input checked="" type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>	Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				
<b>IV. ORIGIN</b> (Place an X in one box only.) <input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 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: \$** 0.00

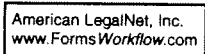
**VI. CAUSE OF ACTION** (Cite the U. S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 17 USC § 101, ET SEQ. COPYRIGHT CLAIM

**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 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 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"/> 22 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 61 HIA(1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW 405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV10 4489

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_  
**AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.**



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

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes

If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case?  No  Yes

If yes, list case number(s): \_\_\_\_\_

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

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

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

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

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES COUNTY	

(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
	OAKLAND COUNTY

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

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

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): Richard P. Ormond Date JUNE 17, 2010

RICHARD P. ORMOND *O.K. per Atty to Sign.*

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))