

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

SCOTT HINTZ and )  
JS OF GEORGIA, INC., a Delaware )  
Corporation and its successors and assigns, )  
PT HOLDINGS, GROUP I, INC., a Delaware )  
corporation and its successors and assigns, )

Plaintiff, )

vs. )

GEROVA FINANCIAL GROUP, LTD.; )  
JOSEPH BIANCO; GARY HIRST; JASON )  
GALANIS; ROBERT WILLISON; GEROVA )  
HOLDINGS, LTD.; NET FIVE HOLDINGS, )  
LLC; NET FIVE GROUP, LLC; )  
FUND.COM, INC.; EQUITIES MEDIA )  
ACQUISITION CORP., INC.; PLANET FIVE )  
DEVELOPMENT GROUP, LLC; PLANET )  
FIVE AT GEROVA, LLC; PAUL ROHAN; )  
NOBLE INVESTMENT FUND, LTD.; )  
GREGORY LAUBACH; GEROVA REAL )  
ESTATE GROUP, LLC; ERIC HALTER; )  
DAVID ZORN; JOHN DOE; AND JOHN DOE )  
COMPANY, )

Defendants. )

CIVIL ACTION

FILE NO.: \_\_\_\_\_

DEMAND FOR JURY

**COMPLAINT FOR BREACH OF CONTRACT, QUANTUM MERUIT,  
FRAUD, DAMAGES PURSUANT TO FEDERAL RICO AND O.C.G.A. § 16-  
14-6, INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS, LIBEL  
AND SLANDER**

COME NOW, Scott Hintz (hereinafter “Hintz”) and JS of Georgia, Inc. (hereinafter “JS of Georgia”) (and together hereinafter “Plaintiffs”), by and through the undersigned counsel, and files this Complaint for Breach of Contract, *Quantum Meruit*, Fraud, Damages Pursuant to Federal RICO and O.C.G.A. § 16-14-6, Intentional Infliction of Emotional Distress, Libel and Slander, showing to this Honorable Court as follows:

**PARTIES**

1.

Defendant Gerova Financial Group, Ltd. (hereinafter “Gerova Financial”), a Cayman Islands corporation, may be served with process through its President, Gary T. Hirst, at 1515 International Parkway, Suite 2031, Lake Mary, Florida 32746.

2.

Defendant Joseph Bianco (hereinafter “Bianco”) may be served with process at 291 Seventh Avenue, New York, New York 10001.

3.

Defendant Gary Hirst (hereinafter “Hirst”) may be served with process at 1515 International Parkway, Suite 2031, Lake Mary, Florida 32746.

4.

Defendant Jason Galanis (hereinafter “Galanis”) may be served with process at 9777 Wilshire Boulevard, Suite 718, Beverly Hills, California 90212.

5.

Defendant Robert Willison (hereinafter “Willison”) may be served with process at 215 Stoney Ridge Drive, Alpharetta, Georgia 30022.

6.

Defendant Gerova Holdings, Ltd. (hereinafter “Gerova Holdings”), a Cayman Islands corporation, may be served with process in care of any officer at Cumberland House, 5<sup>th</sup> Floor, 1 Victoria Street, Hamilton, HM 11, Bermuda.

7.

Defendant Net Five Holdings, LLC (hereinafter “Net Five Holdings”), a Florida limited liability company (formerly known as Gerova Real Estate Group, LLC), may be served with process through its Registered Agent, Paul Rohan, at 4540 Southside Boulevard, Suites 603-604, Jacksonville, Florida 32216.

8.

Defendant Net Five Group, LLC (hereinafter “Net Five Group”), a limited liability company, may be served with process through its officer, Robert Willison, at 215 Stoney Ridge Drive, Alpharetta, Georgia 30022.

9.

Defendant Fund.com, Inc. (hereinafter “Fund.com”), a Delaware corporation, may be served with process through its Registered Agent, Corporation Service Company, at 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

10.

Defendant Equities Media Acquisition Corp., Inc. (hereinafter “Equities Media”), a Nevada corporation, may be served with process through its Registered Agent, Incorp. Services, Inc., at 2360 Corporate Circle, Suite 400, Henderson, Nevada 89074.

11.

Defendant Planet Five Development Group, LLC (hereinafter “Planet Five Development”), a Florida limited liability company, may be served with process through its Registered Agent, J. Riley Williams, at 2141 Park Street, Jacksonville, Florida 32204.

12.

Defendant Planet Five at Gerova, LLC (hereinafter “Planet Five at Gerova”), a Florida limited liability company, may be served with process through its Registered Agent, J. Riley Williams, at 2141 Park Street, Jacksonville, Florida 32204.

13.

Defendant Paul Rohan (hereinafter “Rohan”) may be served with process at 4540 Southside Boulevard, Suites 603-604, Jacksonville, Florida 32216.

14.

Defendant Noble Investment Fund, Ltd. (hereinafter “Noble Investment”), a corporation, may be served with process at 260 262 Main Street, Gibraltar, J1 00000.

15.

Defendant Gregory Laubach (hereinafter “Laubach”) may be served with process at 3 Savannah Court, Bethesda, Maryland 20817.

16.

Defendant Eric Halter (hereinafter “Halter”) may be served with process at 4540 Southside Boulevard, Suite 603-604, Jacksonville, Florida 32216.

17.

Defendant David Zorn (hereinafter “Zorn”) may be served with process at 4540 Southside Boulevard, Suites 603-604, Jacksonville, Florida 32216.

18.

Defendant John Doe is an individual who shall be identified by amendment.

19.

Defendant John Doe Company is a business entity which shall be identified by amendment.

### **JURISDICTION AND VENUE**

20.

All Defendants are subject to the jurisdiction of this Court by virtue of having transacted business within the State of Georgia with respect to the transactions described herein, committing a tortious act causing injury to a Plaintiff within the State of Georgia, or owning, using or possessing any real property situated within the State of Georgia.

21.

This Court has subject matter jurisdiction over this dispute pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1367 (supplemental jurisdiction).

22.

Venue is proper in the United States District Court for the Northern District of Georgia, because, among other things, a substantial part of the events or omissions giving rise to this lawsuit occurred within the Northern District of Georgia as contemplated under 28 U.S.C. § 1391(b), and one or more Defendants

reside within the Northern District of Georgia as contemplated under 28 U.S.C. § 1391(b).

### **GENERAL ALLEGATIONS**

23.

Plaintiff incorporates paragraphs one (1) through twenty-two (22) above as though fully set forth herein.

24.

Starting in or about December, 2009, Defendant Willison, acting on behalf of Defendants Gerova Financial and Net Five Holdings, represented to Plaintiffs that they would receive certain monies and stock in return for Plaintiff providing contractor services, funds and credit for due diligence, travel, entertainment expenses, and other miscellaneous expenses in connection with the initial development and operation of Defendants Gerova Financial and Net Five Holdings.

25.

Pursuant to the Agreement, Plaintiffs were to receive \$120,000.00 per year for three (3) years as compensation, twelve percent (12%) of the cost of all work performed under Plaintiffs' supervision, and two percent (2%) of the equity ownership of all the real estate holdings of Gerova Financial, Net Five Holdings and Planet Five Development.

26.

Defendant Willison represented to Plaintiffs that he had full authority to bind Gerova Financial, Net Five Holdings and Planet Five Development (and their subsidiaries), and no other Defendant ever represented to Plaintiffs otherwise.

27.

Defendants failed to timely pay Plaintiffs per their Agreement, which has caused severe financial hardship to Plaintiffs. As a result of the refusal to pay Plaintiffs, Plaintiffs were unable to utilize their revolving credit line with American Express to maintain other business opportunities, the direct result to Plaintiffs being financial ruin, credit impairments, and the loss of numerous ongoing revenue streams.

28.

Defendants paid Plaintiffs toward the first \$120,000.00 between May and September, 2010. At that point, payments stopped. Subsequently, when Plaintiffs inquired as to the stoppage, Plaintiffs became informed that Defendants Willison, Galanis, Bianco and Hirst knew about and were involved in a \$53 million ponzi scheme in California, and that the SEC had frozen their accounts during this time.

29.

Subsequently, Plaintiffs began to inquire as to the promised 2% ownership interest and certain activities undertaken by Defendants which Plaintiffs felt were



unsound. In response, Defendants terminated Plaintiffs' employment with Defendants, and threatened to harm Plaintiffs both physically and financially. They also began contacting Plaintiffs' relatives and friends, and posting false statements about Plaintiffs in media outlets and internet blogs. Finally, they terminated Plaintiffs' employment with Defendants.

30.

The Defendants in this action are all interrelated. The various corporate entities are mere conduits for the individual Defendants. The various entities do not follow proper corporate formalities, there is an absence of timely SEC and state filings, the Defendants intermingle assets of the entities and individuals, the Defendants manipulate the assets and liabilities of the entities, officers and directors are uniform, and the individual Defendants siphon funds through the various levels of corporate shells.

### **CAUSES OF ACTION**

31.

Plaintiff incorporates paragraphs one (1) through thirty (30) above as though fully set forth herein.

### **COUNT ONE – BREACH OF CONTRACT**

32.

This is an action for damages against Defendants for breach of contract.

33.

Plaintiffs were terminated without cause, and Defendants have failed to make payments pursuant to the parties' Agreement.

34.

All conditions precedent have been properly performed by Plaintiffs.

35.

Multiple times during mid-to-late 2010, Plaintiffs made demand for payment or an explanation of the failure to pay.

36.

Defendants did not pay or otherwise respond to Plaintiffs' demands.

37.

Defendants' failure to perform its obligations under the Agreement has caused Plaintiffs to suffer damages in the amount of the contract price of Three Hundred Sixty Thousand Dollars (\$360,000.00) less any payments received by Plaintiffs, plus the 12% supervision bonus (based upon information and belief approximately \$12,000.00), plus Plaintiff's 2% ownership interest in Gerova Financial, Net Five Holdings, and Planet Five Development (based upon information provided by the entities, to be valued at approximately Eighteen Million Dollars (\$18,000,000.00)).

COUNT TWO – *QUANTUM MERUIT*

38.

Plaintiff is entitled to compensation for his employment services with Gerova Financial, Net Five Holdings, and Planet Five Development as set forth in Count One above.

39.

Plaintiff Hintz and Plaintiff JS of Georgia (and its successors and assigns) performed services on behalf of Defendants for which they did not receive full payment.

40.

Plaintiff has demanded payment, however payment has not been made.

COUNT THREE – FRAUD

41.

Plaintiffs performed services and provided funds and credit to Defendants based upon express promises to pay compensation and ownership interests in Gerova Financial, Net Five Holdings, and Planet Five Development.

42.

At the time of making said promises and representations, Defendants had no present intention to honor said representations, knew that the individual and

corporate Defendants did not plan to and would not honor said commitments in the future, and intended that Plaintiffs would rely thereon.

43.

Defendants are accordingly liable to Plaintiffs for fraud, for all damages prayed for in the Plaintiff's Complaint.

COUNT FOUR – FEDERAL RICO PURSUANT TO 18 U.S.C. § 1961, et al.

44.

In the course of actions described above, Defendants, acting together with other individual and corporate parties, procured valuable services of Plaintiffs and used Plaintiffs' funds and credit for their own benefit.

45.

The procurement of services and use of funds and credit were made with the present intention not to pay for same, constituting a scheme or artifice to defraud.

46.

Defendants and their affiliates transmitted interstate communications via e-mail and wire for the purposes of furthering said scheme, constituting a crime as contemplated under 18 U.S.C. § 1343.

47.

The aforementioned acts constitute racketeering activity as contemplated under 18 U.S.C. § 1961.

48.

Defendants derived income from the above-described pattern of racketeering activity and invested said income in the acquisition of other enterprises engaged in interstate commerce.

49.

Plaintiffs have been injured in their business or property by reason of Defendants' actions described above.

COUNT FIVE – RICO UNDER LAWS OF GEORGIA (O.C.G.A. § 16-14-6)

50.

By the acts described above, Defendants, acting with other individuals or corporate parties, knowingly and by deception procured valuable services, funds and credit from Plaintiffs located within the State of Georgia and elsewhere with the intent to avoid payment, constituting the crime of theft of services under O.C.G.A. § 16-8-5.

51.

Defendants' actions constitute racketeering activity as contemplated by O.C.G.A. § 16-14-3(9).

52.

Defendants, acting with their affiliates, derived income from the above-described pattern of racketeering activity and invested said income in the acquisition of other enterprises engaged in interstate commerce.

53.

Plaintiffs have been injured by Defendants' actions described above.

**COUNT SIX – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

54.

Defendants' actions have left Plaintiffs in financial ruin. Plaintiff Hintz and his family has received death threats. Plaintiff Hintz has been forced to seek treatment from a doctor for symptoms of anxiety, sleep disorder, and severe stress.

**COUNT SEVEN – LIBEL AND SLANDER**

55.

Defendants have contacted Plaintiffs' relatives and friends, posted on blogs, and made statements to media about Plaintiffs which are untrue, and clearly expose Plaintiffs to hatred, contempt, ridicule and obloquy.

56.

Defendants' statements are defamatory as the language carries a meaning that Plaintiffs are liars and criminals.

57.

Defendants' statements were understood by those who saw and heard them to be concerning Plaintiffs.

58.

The above statements were published by Defendants with malice, oppression and fraud.

59.

As a proximate result of the above actions by Defendants, Plaintiffs have suffered loss of reputation, shame, mortification, hurt feelings, and fear for livelihood, all to the Plaintiffs' general damage in a sum to be proven at trial.

COUNT EIGHT – ATTORNEYS' FEES

60.

Defendants have entered into agreements in bad faith, been stubbornly litigious, and have caused Plaintiffs unnecessary trouble and expense, entitling Plaintiffs to an award of reasonable attorneys' fees.

COUNT NINE – PUNITIVE DAMAGES

61.

Defendants' willful and intentional acts show willful misconduct, malice, fraud, wantonness, and oppression with a specific intent to cause harm to Plaintiffs. Plaintiffs therefore pray for exemplary and punitive damages in an amount to be

determined by the enlightened conscience of a jury to deter Defendant from such wrongful conduct in the future.

WHEREFORE, Plaintiffs respectfully pray for relief as follows:

- (a) That process issue and Defendants be served as provided by law;
- (b) That a jury be empaneled;
- (c) For an award of general damages against Defendants for breach of contract, *quantum meruit*, fraud, RICO (federal and Georgia), intentional infliction of emotional distress, and libel and slander, in an amount to be determined by the enlightened conscience of the jury, but no less than Fifty Million Dollars (\$50,000,000.00), including treble damages as contemplated by 18 U.S.C. § 1964(c) and/or by U.S.C. § 16-14-6(c);
- (d) For an award of damages against Defendants for punitive damages, in an amount to be determined by the enlightened conscience of the jury;
- (e) For an award of Plaintiffs' reasonable attorneys' fees and expenses of litigation; and
- (f) For such other and further relief as the Court deems appropriate.



Respectfully submitted, this 26<sup>th</sup> day of January, 2011.

BELLI, WEIL, GROZBEAN & DAVIS  
8010 Roswell Road, Suite 200  
Atlanta, Georgia 30350  
Telephone No.: (770) 993-3300  
Facsimile No.: (770) 552-0100




Douglas J. Davis  
Georgia State Bar No.: 207950  
Bryan J. Rush  
Georgia State Bar No.: 201097  
Attorneys for Plaintiffs

**STATE OF GEORGIA)**  
**COUNTY OF FULTON)**

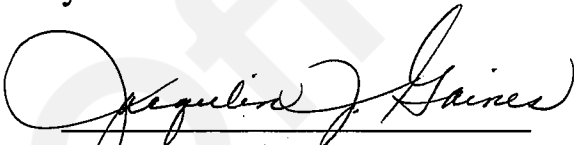
**VERIFICATION**

Personally appeared before the undersigned attesting officer, duly qualified to administer oaths, Scott Hintz, individually, and as agent or representative for JS of Georgia, Inc. and PT Holdings Group I, Inc., and/or their successors and assigns, who after having been duly sworn, deposes and states on oath that the facts set forth in the above and foregoing *COMPLAINT FOR BREACH OF CONTRACT, QUANTUM MERUIT, FRAUD, DAMAGES PURSUANT TO FEDERAL RICO AND O.C.G.A. § 16-14-6, INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS, LIBEL AND SLANDER* are true and correct.

This the 26<sup>th</sup> day of January, 2011.

  
\_\_\_\_\_  
SCOTT HINTZ

Sworn to and subscribed  
before me, the date and  
year set forth above.

  
\_\_\_\_\_  
NOTARY PUBLIC  
Jacquelin J Gaines  
Notary Public  
Cherokee County, Georgia  
My Comm. Expires  
2/14/2014

The JS44 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 is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

|   |  |
|---|--|
| <p><b>I. (a) PLAINTIFF(S)</b></p> <p>Scott Hintz, and<br/>                 JS of Georgia, Inc., a Delaware corporation and its successors and assigns, and<br/>                 PT Holdings Group I, Inc., a Delaware corporation and its successors and assigns</p> <p><b>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF</b> <u>Fulton County</u><br/>                 (EXCEPT IN U.S. PLAINTIFF CASES)</p> | <p><b>DEFENDANT(S)</b></p> <p>Gerova Financial Group, Ltd., et al.</p> <p><b>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT</b> <u>Cayman Islands</u><br/>                 (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</p> |
|---|--|

|  |                                    |
|--|------------------------------------|
| <p><b>(c) ATTORNEYS</b> (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)</p> <p>Douglas J. Davis<br/>                 Bryan J. Rush<br/>                 BELLI, WEIL, GROZBEAN &amp; DAVIS<br/>                 8010 Roswell Road, Suite 200<br/>                 Atlanta, Georgia 30350<br/>                 Telephone No.: (770) 993-3300<br/>                 Facsimile No.: (770) 552-0100</p> | <p><b>ATTORNEYS</b> (IF KNOWN)</p> |
|--|------------------------------------|

**II. BASIS OF JURISDICTION**  
 (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)   |

**III. CITIZENSHIP OF PRINCIPAL PARTIES**  
 (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) (FOR DIVERSITY CASES ONLY)

| PLF                        | DEF                        |   | PLF                        | DEF                        |   |
|----------------------------|----------------------------|---|----------------------------|----------------------------|---|
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | CITIZEN OF THIS STATE                   | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE     |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | CITIZEN OF ANOTHER STATE                | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | FOREIGN NATION  |

**IV. ORIGIN** (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 District) | <input type="checkbox"/> 6 MULTIDISTRICT LITIGATION | <input type="checkbox"/> 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT |
|---|---|--|---|---|---|--|

**V. 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)

Federal RICO (18 USC 1961, et al.)

**(IF COMPLEX, CHECK REASON BELOW)**

|  |   |
|--|---|
| <input checked="" type="checkbox"/> 1. Unusually large number of parties.            | <input type="checkbox"/> 6. Problems locating or preserving evidence                        |
| <input checked="" type="checkbox"/> 2. Unusually large number of claims or defenses. | <input type="checkbox"/> 7. Pending parallel investigations or actions by government.       |
| <input checked="" type="checkbox"/> 3. Factual issues are exceptionally complex      | <input type="checkbox"/> 8. Multiple use of experts.  |
| <input checked="" type="checkbox"/> 4. Greater than normal volume of evidence.       | <input checked="" type="checkbox"/> 9. Need for discovery outside United States boundaries. |
| <input type="checkbox"/> 5. Extended discovery period is needed.                     | <input type="checkbox"/> 10. Existence of highly technical issues and proof.                |

**CONTINUED ON REVERSE**

**FOR OFFICE USE ONLY**

|                 |                  |                      |                        |
|-----------------|------------------|----------------------|------------------------|
| RECEIPT # _____ | AMOUNT \$ _____  | APPLYING IFP _____   | MAG. JUDGE (IFP) _____ |
| JUDGE _____     | MAG. JUDGE _____ | NATURE OF SUIT _____ | CAUSE OF ACTION _____  |
| (Referral)      |                  |                      |                        |

**CONTRACT - "0" MONTHS DISCOVERY TRACK'**

- 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

**CONTRACT - "4" MONTHS DISCOVERY TRACK**

- 110 INSURANCE
- 120 MARINE
- 130 MILLER ACT
- 140 NEGOTIABLE INSTRUMENT
- 151 MEDICARE ACT
- 160 STOCKHOLDERS' SUITS
- 190 OTHER CONTRACT
- 195 CONTRACT PRODUCT LIABILITY
- 196 FRANCHISE

**REAL PROPERTY - "4" MONTHS DISCOVERY TRACK**

- 210 LAND CONDEMNATION
- 220 FORECLOSURE
- 230 RENT LEASE & EJECTMENT
- 240 TORTS TO LAND
- 245 TORT PRODUCT LIABILITY
- 290 ALL OTHER REAL PROPERTY

**TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK**

- 310 AIRPLANE
- 315 AIRPLANE PRODUCT LIABILITY
- 320 ASSAULT, LIBEL & SLANDER
- 330 FEDERAL EMPLOYERS' LIABILITY
- 340 MARINE
- 345 MARINE PRODUCT LIABILITY
- 350 MOTOR VEHICLE
- 355 MOTOR VEHICLE PRODUCT LIABILITY
- 360 OTHER PERSONAL INJURY
- 362 PERSONAL INJURY - MEDICAL MALPRACTICE
- 365 PERSONAL INJURY - PRODUCT LIABILITY
- 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

**TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK**

- 370 OTHER FRAUD
- 371 TRUTH IN LENDING
- 380 OTHER PERSONAL PROPERTY DAMAGE
- 385 PROPERTY DAMAGE PRODUCT LIABILITY

**BANKRUPTCY - "0" MONTHS DISCOVERY TRACK**

- 422 APPEAL 28 USC 158
- 423 WITHDRAWAL 28 USC 157

**CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK**

- 441 VOTING
- 442 EMPLOYMENT
- 443 HOUSING/ ACCOMMODATIONS
- 444 WELFARE
- 440 OTHER CIVIL RIGHTS
- 445 AMERICANS with DISABILITIES - Employment
- 446 AMERICANS with DISABILITIES - Other

**IMMIGRATION - "0" MONTHS DISCOVERY TRACK**

- 462 NATURALIZATION APPLICATION
- 463 HABEAS CORPUS- Alien Detainee
- 465 OTHER IMMIGRATION ACTIONS

**PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK**

- 510 MOTIONS TO VACATE SENTENCE
- 530 HABEAS CORPUS
- 535 HABEAS CORPUS DEATH PENALTY
- 540 MANDAMUS & OTHER
- 550 CIVIL RIGHTS - Filed Pro se
- 555 PRISON CONDITION(S) - Filed Pro se

**PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK**

- 550 CIVIL RIGHTS - Filed by Counsel
- 555 PRISON CONDITION(S) - Filed by Counsel

**FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK**

- 610 AGRICULTURE
- 620 FOOD & DRUG
- 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- 630 LIQUOR LAWS
- 640 R.R. & TRUCK
- 650 AIRLINE REGS.
- 660 OCCUPATIONAL SAFETY / HEALTH
- 690 OTHER

**LABOR - "4" MONTHS DISCOVERY TRACK**

- 710 FAIR LABOR STANDARDS ACT
- 720 LABOR/MGMT. RELATIONS
- 730 LABOR/MGMT. REPORTING & DISCLOSURE ACT
- 740 RAILWAY LABOR ACT
- 790 OTHER LABOR LITIGATION
- 791 EMPL. RET. INC. SECURITY ACT

**PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK**

- 820 COPYRIGHTS
- 840 TRADEMARK

**PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK**

- 830 PATENT

**SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK**

- 861 HIA (1395ff)
- 862 BLACK LUNG (923)
- 863 DIWC (405(g))
- 863 DIWW (405(g))
- 864 SSID TITLE XVI
- 865 RSI (405(g))

**FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK**

- 870 TAXES (U.S. Plaintiff or Defendant)
- 871 IRS - THIRD PARTY 26 USC 7609

**OTHER STATUTES - "4" MONTHS DISCOVERY TRACK**

- 400 STATE REAPPORTIONMENT
- 430 BANKS AND BANKING
- 450 COMMERCE/ICC RATES/ETC.
- 460 DEPORTATION
- 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- 480 CONSUMER CREDIT
- 490 CABLE/SATELLITE TV
- 810 SELECTIVE SERVICE
- 875 CUSTOMER CHALLENGE 12 USC 3410
- 891 AGRICULTURAL ACTS
- 892 ECONOMIC STABILIZATION ACT
- 893 ENVIRONMENTAL MATTERS
- 894 ENERGY ALLOCATION ACT
- 895 FREEDOM OF INFORMATION ACT
- 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
- 950 CONSTITUTIONALITY OF STATE STATUTES
- 890 OTHER STATUTORY ACTIONS

**OTHER STATUTES - "8" MONTHS DISCOVERY TRACK**

- 410 ANTITRUST
- 850 SECURITIES / COMMODITIES / EXCHANGE

**OTHER STATUTES - "0" MONTHS DISCOVERY TRACK**

- ARBITRATION (Confirm / Vacate / Order / Modify)

(Note: Mark underlying Nature of Suit as well)

**\* PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

**VII. REQUESTED IN COMPLAINT:**

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ \_\_\_\_\_

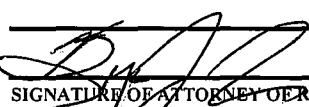
JURY DEMAND  YES  NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

**VIII. RELATED/REFILED CASE(S) IF ANY**

JUDGE \_\_\_\_\_ DOCKET NO. \_\_\_\_\_

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
- 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
- 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):
- 7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. \_\_\_\_\_, WHICH WAS DISMISSED. This case  IS  IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

  
 SIGNATURE OF ATTORNEY OF RECORD

1/26/11  
 DATE