

COPY

FILED

1 Laurence M. Rosen, Esq. (SBN 219683)
2 THE ROSEN LAW FIRM, P.A.
3 355 South Grand Avenue, Suite 2450
4 Los Angeles, CA 90071
5 Telephone: (213) 785-2610
6 Facsimile: (213) 226-4684
7 Email: lrosen@rosenlegal.com

2014 MAR 14 AM 11:46
CLERK, U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

6 Counsel for Plaintiff

7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA

9 BANGZHENG CHEN, INDIVIDUALLY
10 AND ON BEHALF OF ALL OTHERS
11 SIMILARLY SITUATED,

12 Plaintiff,

13 vs.

14 CYTRX CORPORATION, STEVEN A.
15 KRIEGSMAN, THE
16 DREAMTEAMGROUP, and MISSIONIR,

17 Defendants.

CV14-1956 GHK (Atux)

CASE No.:

COMPLAINT

CLASS ACTION

JURY TRIAL DEMANDED

19
20 Plaintiff Bangzheng Chen ("Plaintiff"), individually and on behalf of all
21 other persons similarly situated, by his undersigned attorneys, for his complaint
22 against Defendants, alleges the following based upon personal knowledge as to
23 himself and his own acts, and information and belief as to all other matters, based
24 upon, *inter alia*, the investigation conducted by and through his attorneys, which
25 included, among other things, a review of the defendants' public documents,
26 conference calls and announcements made by defendants, United States Securities
27
28

1 and Exchange Commission (“SEC”) filings, wire and press releases published by
2 and regarding CytRx Corporation (“CYTR” or the “Company”), securities analysts’
3 reports and advisories about the Company, and information readily obtainable on
4 the Internet. Plaintiff believes that substantial evidentiary support will exist for the
5 allegations set forth herein after a reasonable opportunity for discovery.
6

7
8 **NATURE OF THE ACTION**

9 1. This is a federal securities class action on behalf of a class consisting
10 of all persons other than Defendants who purchased the common stock of CYTR
11 between November 22, 2013 and March 13, 2014, including the Company’s public
12 offering completed on or about February 5, 2014, seeking to recover damages
13 caused by Defendants’ violations of federal securities laws.
14

15
16 **JURISDICTION AND VENUE**

17 2. The claims asserted herein arise under and pursuant to Sections 10(b)
18 and 20(a) of the Securities Exchange Act, and Rule 10b-5 promulgated thereunder
19 (17 C.F.R. §240.10b-5).
20

21 3. This Court has jurisdiction over the subject matter of this action
22 pursuant to Section 27 of the Exchange Act (15 U.S.C. §78aa) and 28 U.S.C. §
23 1331.
24

25 4. Venue is proper in this Judicial District pursuant to §27 of the
26 Exchange Act, 15 U.S.C. § 78aa and 28 U.S.C. § 1391(b).
27
28

1 advertisers and investor relations firms that create and execute a “strategy that
2 produces measurable results and attracts a wider following of investors to improve
3 each client’s overall market valuation.” DTG and MissionIR are affiliates.

4
5 **PLAINTIFF’S CLASS ACTION ALLEGATIONS**

6 10. Plaintiff brings this action as a class action pursuant to Federal Rules
7 of Civil Procedure 23(a) and (b)(3) on behalf of a Class, consisting of all persons
8 who purchased the common stock of CYTR during the Class Period and who were
9 damaged thereby. Excluded from the Class are Defendants, the officers and
10 directors of the Company at all relevant times, members of their immediate families
11 and their legal representatives, heirs, successors or assigns and any entity in which
12 defendants have or had a controlling interest.

13
14
15 11. The members of the Class are so numerous that joinder of all members
16 is impracticable. Throughout the Class Period, CYTR’s securities were actively
17 traded on the NASDAQ. While the exact number of Class members is unknown to
18 Plaintiff at this time and can only be ascertained through appropriate discovery,
19 Plaintiff believes that there are at least hundreds of members in the proposed Class.
20 Members of the Class may be identified from records maintained by CYTR or its
21 transfer agent and may be notified of the pendency of this action by mail, using a
22 form of notice customarily used in securities class actions.
23
24
25
26
27
28

1 12. Plaintiff's claims are typical of the claims of the members of the Class,
2 as all members of the Class are similarly affected by Defendants' wrongful conduct
3 in violation of federal law that is complained of herein.
4

5 13. Plaintiff will fairly and adequately protect the interests of the members
6 of the Class and has retained counsel competent and experienced in class and
7 securities litigation.
8

9 14. Common questions of law and fact exist as to all members of the Class
10 and predominate over any questions solely affecting individual members of the
11 Class. Among the questions of law and fact common to the Class are:
12

13 (a) whether the federal securities laws were violated by Defendants'
14 acts as alleged herein;
15

16 (b) whether statements made by Defendants to the investing public
17 during the Class Period misrepresented material facts about the business, operations
18 and management of CYTR; and
19

20 (c) to what extent the members of the Class have sustained damages
21 and the proper measure of damages.
22

23 15. A class action is superior to all other available methods for the fair and
24 efficient adjudication of this controversy since joinder of all members is
25 impracticable. Furthermore, as the damages suffered by individual Class members
26 may be relatively small, the expense and burden of individual litigation make it
27
28

1 impossible for members of the Class to redress individually the wrongs done to
2 them. There will be no difficulty in the management of this action as a class action.
3

4 **SUBSTANTIVE ALLEGATIONS**

5 16. Under the direction of CYTR and Kriegsman, DTG MissionIR, and
6 third parties under their control began to tout CYTR stock throughout the Class
7 Period.
8

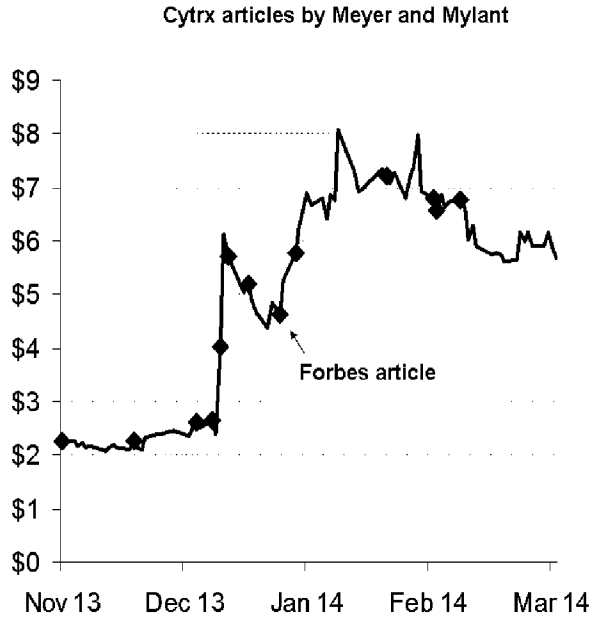
9 17. The purpose of this promotional campaign was to raise additional
10 capital, increase shareholder value, and raise visibility to the public capital market.
11

12 18. DTG and MissionIR conducted a massive promotional campaign,
13 which included dozens of published articles or news reports and various statements
14 made through various social media outlets, including seekingalpha.com and Forbes.
15

16 19. The articles did not disclose that they were authored by paid promoters
17 under the control of CYTR nor did they disclose the authors had a business
18 relationship with CYTR.
19

20 20. This misleading promotion was successful. Articles by DTG's paid
21 authors Meyer and Mylant caused a steep run-up in the Company's stock price as
22 set forth below.
23
24
25
26
27
28

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



21. On February 12, 2014, journalist Adam Feuerstein published an article concerning GALE on TheStreet.com, available at <
<http://www.thestreet.com/story/12327045/1/galena-biopharma-pays-for-stock-touting-campaign-while-insiders-cash-out-millions.html>>. Mr. Feuerstein's article is incorporated by reference. In it, Mr. Feuerstein reported that:

- GALE had paid DTG and MissionIR to tout its stock without disclosing that the articles they published were commissioned and approved by GALE;
- DTG and MissionIR had falsely stated that the articles were written by authors who were not paid by GALE;
- Defendant Kriegsman had sold net \$2.1 million of his stock while the promotion was ongoing; and
- CYTR had also retained DTG.

22. That day, CYTR's stock price fell from \$6.60 to \$6.04, or 8.5%, damaging investors.

1 (b) During the class period, on average, over several hundreds of thousands of
2 shares of CYTR stock were traded on a weekly basis, demonstrating a very active and
3 broad market for CYTR stock and permitting a *very strong* presumption of an efficient
4 market;
5

6 (c) As a regulated issuer, CYTR filed periodic public reports with the
7 SEC and was eligible and did file short form registration statements with the SEC
8 on Form S-3 during the Class Period;
9

10 (d) CYTR regularly communicated with public investors via established
11 market communication mechanisms, including through regular disseminations of
12 press releases on the national circuits of major newswire services and through
13 other wide-ranging public disclosures, such as communications with the financial
14 press and other similar reporting services;
15

16 (e) CYTR was followed by several securities analysts employed by
17 major brokerage firms who wrote reports that were distributed to the sales force
18 and certain customers of their respective brokerage firms during the Class
19 Period. Each of these reports was publicly available and entered the public
20 marketplace;
21

22 (f) Numerous NASD member firms were active market-makers in CYTR
23 stock at all times during the Class Period; and
24

25 (g) Unexpected material news about CYTR was rapidly reflected and
26 incorporated into the Company's stock price during the Class Period.
27
28

1 30. Defendants (a) employed devices, schemes, and artifices to defraud;
2 (b) made untrue statements of material fact and/or omitted to state material facts
3 necessary to make the statements not misleading; and (c) engaged in acts, practices,
4 and a course of business that operated as a fraud and deceit upon the purchasers of
5 the Company's common stock in an effort to maintain artificially high market
6 prices for CYTR's common stock in violation of Section 10(b) of the Exchange Act
7 and Rule 10b-5 thereunder. All Defendants are sued either as primary participants
8 in the wrongful and illegal conduct charged herein or as controlling persons as
9 alleged below.
10
11
12

13 31. Defendants, individually and in concert, directly and indirectly, by the
14 use, means or instrumentalities of interstate commerce and/or of the mails, engaged
15 and participated in a continuous course of conduct to conceal adverse material
16 information about the business, operations and future prospects of CYTR as
17 specified herein.
18
19

20 32. These Defendants employed devices, schemes and artifices to defraud,
21 while in possession of material adverse non-public information and engaged in acts,
22 practices, and a course of conduct as alleged herein in an effort to assure investors
23 of CYTR's value and performance and continued substantial growth, which
24 included the making of, or participation in the making of, untrue statements of
25 material facts and omitting to state material facts necessary in order to make the
26 statements made about CYTR and its business operations and future prospects in
27
28

1 the light of the circumstances under which they were made, not misleading, as set
2 forth more particularly herein, and engaged in transactions, practices and a course
3 of business that operated as a fraud and deceit upon the purchasers of CYTR's
4 common stock during the Class Period.
5

6 33. Each of the Defendants' primary liability, and controlling person
7 liability, arises from the following facts: (1) the individual defendants were high-
8 level executives, directors, and/or agents of the Company during the Class Period
9 and members of the Company's management team or had control thereof; (2) each
10 of these defendants, by virtue of his or her responsibilities and activities as a senior
11 officer and/or director of the Company, was privy to and participated in the
12 creation, development and reporting of the Company's financial condition; (3) each
13 of these defendants enjoyed significant personal contact and familiarity with the
14 other defendants and was advised of and had access to other members of the
15 Company's management team, internal reports and other data and information
16 about the Company's finances, operations, and sales at all relevant times; and
17 (4) each of these defendants was aware of the Company's dissemination of
18 information to the investing public which they knew or recklessly disregarded was
19 materially false and misleading.
20

21 34. Defendants had actual knowledge of the misrepresentations and
22 omissions of material facts set forth herein, or acted with reckless disregard for the
23 truth in that they failed to ascertain and to disclose such facts, even though such
24
25
26
27
28

1 facts were available to them. Such Defendants' material misrepresentations and/or
2 omissions were done knowingly or recklessly.

3
4 35. As a result of the dissemination of the materially false and misleading
5 information and failure to disclose material facts, as set forth above, the market
6 price of CYTR's common stock was artificially inflated during the Class Period. In
7 ignorance of the fact that market prices of CYTR's publicly-traded common stock
8 were artificially inflated, and relying directly or indirectly on the false and
9 misleading statements made by Defendants, or upon the integrity of the market in
10 which the common stock trades, and/or on the absence of material adverse
11 information that was known to or recklessly disregarded by Defendants but not
12 disclose in public statements by Defendants during the Class Period, Plaintiff and
13 the other members of the Class acquired CYTR common stock during the Class
14 Period at artificially high prices and were or will be damaged thereby.

15
16
17
18 36. At the time of said misrepresentations and omissions, Plaintiff and
19 other members of the Class were ignorant of their falsity, and believed them to be
20 true. Had Plaintiff and the other members of the Class and the marketplace known
21 the truth regarding CYTR's financial results, which were not disclosed by
22 defendants, Plaintiff and other members of the Class would not have purchased or
23 otherwise acquired their CYTR common stock, or, if they had acquired such
24 common stock during the Class Period, they would not have done so at the
25 artificially inflated prices that they paid.
26
27
28

1 37. By virtue of the foregoing, Defendants have violated Section 10(b) of
2 the Exchange Act, and Rule 10b-5 promulgated thereunder.

3
4 38. As a direct and proximate result of Defendants' wrongful conduct,
5 Plaintiff and the other members of the Class suffered damages in connection with
6 their respective purchases and sales of the Company's common stock during the
7 Class Period.
8

9 39. This action was filed within two years of discovery of the fraud and
10 within five years of each plaintiff's purchases of securities giving rise to the cause
11 of action.
12

13 **SECOND CLAIM**

14 **Violation of Section 20(a) Of**

15 **The Exchange Act Against**

16
17 40. Plaintiff repeats and realleges each and every allegation contained
18 above as if fully set forth herein.
19

20 41. Defendant Kriegsman is sued herein as a controlling person of CYTR,
21 DTG, and Mission IR.
22

23 42. Defendant CYTR is sued herein as a controlling person of DTG and
24 MissionIR.
25

26 43. By virtue of their high-level positions, agency, and their ownership
27 and contractual rights, participation in and/or awareness and/or intimate knowledge
28 of the misleading statements disseminated to the investing public, these defendants

1 had the power to influence and control, and did influence and control, directly or
2 indirectly, the decision-making of the primary violator, including the content and
3 dissemination of the various statements that plaintiff contends are false and
4 misleading. In particular, each defendant had the power to control or influence the
5 particular transactions giving rise to the securities violations as alleged herein, and
6 exercised the same.
7
8

9 44. As set forth above, CYTR, MissionIR and DTG each violated Section
10 10(b) and Rule 10b-5 by their acts and omissions as alleged in this Complaint.
11

12 45. By virtue of their positions as controlling persons, the individual
13 defendants are liable pursuant to Section 20(a) of the Exchange Act. As a direct
14 and proximate result of Defendants' wrongful conduct, Plaintiff and other members
15 of the Class suffered damages in connection with their purchases of the Company's
16 common stock during the Class Period.
17

18 46. This action was filed within two years of discovery of the fraud and
19 within five years of each Plaintiff's purchases of securities giving rise to the cause
20 of action.
21

22
23 **PRAYER FOR RELIEF**

24 **WHEREFORE**, Plaintiff prays for relief and judgment, as follows:

25 (a) Determining that this action is a proper class action, designating
26 Plaintiff as class representative under Rule 23 of the Federal Rules of Civil
27 Procedure and Plaintiff's counsel as Class Counsel;
28

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

(b) Awarding compensatory damages in favor of Plaintiff and the other Class members against all defendants, jointly and severally, for all damages sustained as a result of defendants' wrongdoing, in an amount to be proven at trial, including interest thereon;

(c) Awarding Plaintiff and the Class their reasonable costs and expenses incurred in this action, including counsel fees and expert fees; and

(d) Such other and further relief as the Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff hereby demands a trial by jury.

Dated: March 14, 2014

Respectfully submitted,

THE ROSEN LAW FIRM, P.A.



Laurence M. Rosen, Esq. (SBN 219683)
355 South Grand Avenue, Suite 2450
Los Angeles, CA 90071
Telephone: (213) 785-2610
Facsimile: (213) 226-4684
Email: lrosen@rosenlegal.com

Counsel for Plaintiff

Certification and Authorization of Named Plaintiff Pursuant to Federal Securities Laws

The individual or institution listed below (the "Plaintiff") authorizes and, upon execution of the accompanying retainer agreement by The Rosen Law Firm P.A., retains The Rosen Law Firm P.A. to file an action under the federal securities laws to recover damages and to seek other relief against CytRx Corporation. The Rosen Law Firm P.A. will prosecute the action on a contingent fee basis and will advance all costs and expenses. The CytRx Corporation. Retention Agreement provided to the Plaintiff is incorporated by reference, upon execution by The Rosen Law Firm P.A.

First name: Bangzheng

Middle initial:

Last name: Chen

Address:

City:

State:

Zip:

Country:

Facsimile:

Phone:

Email:



REDACTED

Plaintiff certifies that:

1. Plaintiff has reviewed the complaint and authorized its filing.
2. Plaintiff did not acquire the security that is the subject of this action at the direction of plaintiff's counsel or in order to participate in this private action or any other litigation under the federal securities laws.
3. Plaintiff is willing to serve as a representative party on behalf of a class, including providing testimony at deposition and trial, if necessary.
4. Plaintiff represents and warrants that he/she/it is fully authorized to enter into and execute this certification.
5. Plaintiff will not accept any payment for serving as a representative party on behalf of the class beyond the Plaintiff's pro rata share of any recovery, except such reasonable costs and expenses (including lost wages) directly relating to the representation of the class as ordered or approved by the court.
6. Plaintiff has made no transaction(s) during the Class Period in the debt or equity securities that are the subject of this action except those set forth below:

Acquisitions:

Type of Security	Buy Date	# of Shares	Price per Share
Common Stock	2/11/2014	300	6.59
Common Stock	3/10/2014	300	5.0985

7. I have not served as a representative party on behalf of a class under the federal security laws during the last three years, except if detailed below. []

I declare under penalty of perjury, under the laws of the United States, that the Information entered is accurate:

YES

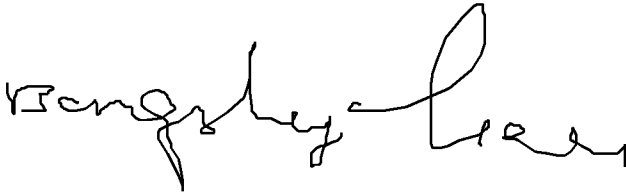
Certification for Bangzheng Chen (cont.)

By clicking on the button below, I intend to sign and execute this agreement and retain the Rosen Law Firm, P.A. to proceed on Plaintiff's behalf, on a contingent fee basis.

YES

Signed pursuant to California Civil Code Section 1633.1, et seq. - and the Uniform Electronic Transactions Act as adopted by the various states and territories of the United States.

Date of signing: 03/13/2014

A handwritten signature in black ink, appearing to read "Bangzheng Chen". The signature is written in a cursive style with a large, looped initial "B".

COPY

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

I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) BANGZHENG CHEN, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED	DEFENDANTS (Check box if you are representing yourself <input type="checkbox"/>) CYTRX CORPORATION, STEVEN A. KRIEGSMAN, THE DREAMTEAMGROUP, and MISSIONIR,
(b) County of Residence of First Listed Plaintiff Pulaski County AR <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>	County of Residence of First Listed Defendant _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i>
(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. Laurence M. Rosen, ESQ (SBN219683), The Rosen Law Firm, P.A., 355 South Grand Avenue, Suite 2450, Los Angeles CA, 90071 213-785-2610	Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1. U.S. Government Plaintiff <input type="checkbox"/> 2. U.S. Government Defendant <input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES —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="border: none;">Citizen of This State</td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;">1 1</td> <td style="border: none;">Incorporated or Principal Place of Business in this State</td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;">4 4</td> </tr> <tr> <td style="border: none;">Citizen of Another State</td> <td style="border: none; text-align: center;">2 2</td> <td style="border: none;">2 2</td> <td style="border: none;">Incorporated and Principal Place of Business in Another State</td> <td style="border: none; text-align: center;">5 5</td> <td style="border: none;">5 5</td> </tr> <tr> <td style="border: none;">Citizen or Subject of a Foreign Country</td> <td style="border: none; text-align: center;">3 3</td> <td style="border: none;">3 3</td> <td style="border: none;">Foreign Nation</td> <td style="border: none; text-align: center;">6 6</td> <td style="border: none;">6 6</td> </tr> </table>	Citizen of This State	PTF DEF	1 1	Incorporated or Principal Place of Business in this State	PTF DEF	4 4	Citizen of Another State	2 2	2 2	Incorporated and Principal Place of Business in Another State	5 5	5 5	Citizen or Subject of a Foreign Country	3 3	3 3	Foreign Nation	6 6	6 6
Citizen of This State	PTF DEF	1 1	Incorporated or Principal Place of Business in this State	PTF DEF	4 4														
Citizen of Another State	2 2	2 2	Incorporated and Principal Place of Business in Another State	5 5	5 5														
Citizen or Subject of a Foreign Country	3 3	3 3	Foreign Nation	6 6	6 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

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.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.)
 Securities Fraud Class Action 15 U.S.C 78j(b) and 78t(a)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CON	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act <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 & Corrupt Org. <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes	<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. Vet.) <input type="checkbox"/> 153 Recovery of Overpayment of Vet. 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 <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 TORTS <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"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions TORTS <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 BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 American with Disabilities-Employment <input type="checkbox"/> 446 American with Disabilities-Other <input type="checkbox"/> 448 Education	Habeas Corpus: <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 FORFEITURE/PENALTY <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <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)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

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

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASES - IS IT BEING FILED IN THE COUNTY OF:		INITIAL DIVISION IN C.A.D.S.
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	IF THE UNITED STATES, OR ONE OF ITS AGENCIES OR EMPLOYEES, IS A PARTY, IS IT:			INITIAL DIVISION IN C.A.D.S.
	APPLAINTIFF?	A DEFENDANT?		
	Then check the box below for the county in which the majority of PLAINTIFFS reside.	Then check the box below for the county in which the majority of DEFENDANTS reside.		
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western	
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western	
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern	
<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern		
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western		

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	C.2. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division? Enter the initial division determined by Question A, B, or C above: →	INITIAL DIVISION IN C.A.D.S. Western
---	---

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

IX(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): _____

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

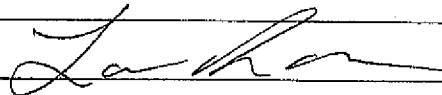
If yes, list case number(s): _____

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.

**X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):** _____



DATE: 3/14/2014

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. 1395FF(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. 405 (g))