

UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA

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Case No. 15-CV-111\_\_\_\_\_

**Faye T. Seidler,**

Plaintiff,

v.

**COMPLAINT  
(JURY TRIAL DEMANDED)**

**Sanford;**

**Sanford North;**

**Sanford Clinic North;**

**Sanford Medical Center Fargo;**

**Sanford Research;**

**Sanford Health Network;**

**Sanford Health Network North;**

**Sanford Health Foundation North;**

**Sanford Health; and**

**Sanford Health Fargo Region,**

Defendants.

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**INTRODUCTION**

1. This is an action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* (“Title VII”), and Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981a, to correct unlawful employment practices on the basis of sex, and to

provide appropriate relief to Faye Seidler, who was adversely affected by such practices.

2. As alleged with greater particularity below, Plaintiff Faye Seidler alleges that Defendants (collectively referred to as, “Sanford”) engaged in unlawful discrimination against Seidler, a woman who is transgender, because of sex by: (a) subjecting Seidler to different terms and conditions because of sex. Sanford had, and continues to maintain, a companywide policy or practice that discriminates against transgender female employees by precluding them use of a locker room that is consistent with their sex and/or gender, and/or by intentionally treating transgender females disparately from other employees with regard to the use of a locker room that is consistent with their sex and/or gender.

### **JURISDICTION AND VENUE**

3. Plaintiff bases her claims on Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* (“Title VII”), and Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981a (“Title I”. This Court, therefore, has federal question subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343.
4. Venue in this Court is appropriate pursuant to 28 U.S.C. § 1391, as Defendant is doing business in this State and District and the unlawful practices alleged herein occurred within this State and District.
5. Plaintiff filed a charge of discrimination with the Equal Employment Opportunity Commission and received Notice of Right to Sue on September 2, 2015.

## **PARTIES**

6. Plaintiff Faye T. Seidler is a resident and domiciliary of Fargo, North Dakota. At all times relevant to this Complaint, Plaintiff was an “employee” as Title VII and Title I define that term.
7. Defendant Sanford is a North Dakota corporation with a principal office address of 801 N. Broadway, Fargo, ND 58122. Defendant’s registered agent is Paul Richard. Defendant’s agent’s address is 801 N. Broadway, Fargo, ND 58122. At all times relevant to this complaint, Defendant was an “employer,” as Title VII and Title I define that term. Defendant does business under the registered trade name, “Sanford Health.”
8. Defendant Sanford North is a North Dakota corporation with a principal office address of 801 N. Broadway, Fargo, ND 58122. Defendant’s registered agent is Paul Richard. Defendant’s agent’s address is 801 N. Broadway, Fargo, ND 58122. At all times relevant to this complaint, Defendant was an “employer,” as Title VII and Title I define that term. Defendant does business under the registered trade name, “Sanford Health Fargo Region.”
9. Defendant Sanford Clinic North is a North Dakota corporation with a principal office address of 801 N. Broadway, PO Box 2010, Fargo, ND 58122. Defendant’s registered agent is Paul Richard. Defendant’s agent’s address is 801 N. Broadway, Fargo, ND 58122. At all times relevant to this complaint, Defendant was an

“employer,” as Title VII and Title I define that term. Defendant does business under multiple registered trade names.

10. Defendant Sanford Medical Center Fargo is a North Dakota corporation with a principal office address of 801 N. Broadway, PO Box 2010, Fargo, ND 58122. Defendant’s registered agent is Paul Richard. Defendant’s agent’s address is 801 N. Broadway, Fargo, ND 58122. At all times relevant to this complaint, Defendant was an “employer,” as Title VII and Title I define that term.

11. Defendant Sanford Research is a South Dakota corporation doing business in this State and District with a registered address of 801 N. Broadway, Fargo, ND 58102. Defendant’s registered agent is Paul Richard. Defendant’s principal executive office is 1305 W. 18th St. PO Box 5039, Sioux Falls, SD 57117. At all times relevant to this complaint, Defendant was an “employer,” as Title VII and Title I define that term.

12. Defendant Sanford Health Network is a South Dakota corporation doing business in this State and District with a registered address of 801 N. Broadway, Fargo, ND 58102. Defendant’s registered agent is Paul Richard. Defendant’s principal executive office is 1305 W. 18th St. PO Box 5039, Sioux Falls, SD 57117. At all times relevant to this complaint, Defendant was an “employer,” as Title VII and Title I define that term.

13. Defendant Sanford Health Network North is a North Dakota corporation with a principal office address of 801 N. Broadway, Fargo, ND 58122. Defendant’s registered agent is Paul Richard. Defendant’s agent’s address is 801 N. Broadway,

Fargo, ND 58122. At all times relevant to this complaint, Defendant was an “employer,” as Title VII and Title I define that term.

14. Defendant Sanford Health Foundation North is a North Dakota corporation with a principal office address of 801 N. Broadway, Fargo, ND 58122. Defendant’s registered agent is Paul Richard. Defendant’s agent’s office is 801 N. Broadway, Fargo, ND 58122. At all times relevant to this complaint, Defendant was an “employer,” as Title VII and Title I define that term.

15. The above-named Defendants (collectively referred to herein as, “Sanford”) employed Plaintiff. All Defendants have more than 15 employees.

#### **BACKGROUND FACTS**

16. Plaintiff is a female.

17. Plaintiff has been diagnosed with gender dysphoria.

18. Plaintiff is transgender, having been assigned the male sex at birth but having a female gender identity.

19. By definition, transgender individuals identify and conform to a sex and gender different from the sex assigned to them at birth, contradicting dominant cultural expectations, assumptions, and norms that an individual assigned one sex at birth will or should identify with that same sex as their gender identity throughout their life.

20. In or about September 2013, Plaintiff began hormone therapy as part of her gender transition.

21. Plaintiff commenced employment with Defendants in Spring 2014.

22. When she applied for work with Defendants and for the first few months of her employment, Plaintiff presented as male (e.g., she had a traditionally male name).
23. In May 2014, during her 90-day review, Plaintiff informed Defendants' management that she was a female and that she would be going through a thoughtful process of notifying those who considered her to be a male of her actual sex and gender. In essence, Plaintiff explained that she would eventually begin to present as female at work.
24. Over the next few months, Plaintiff thoughtfully and thoroughly explained to Defendants what such a transition at work could look like, and engaged them for the purposes of avoiding sex and/or gender discrimination.
25. Plaintiff initially asserted that although she had a right to use of Defendants' female locker rooms on the same terms and conditions as other employees, she would attempt to forgo use of the locker rooms for a short period of time in recognition of her workplace transition.
26. In November 2014, Plaintiff informed Defendants' management, in writing, that she wanted immediate access to the female locker rooms. She reminded Defendants that her birth certificate, driver's license, and other state and federal government documents clearly identified her sex/gender as female.
27. For several months following Plaintiff's request for appropriate locker room access, Defendants continued to delay responding to the request. Plaintiff tried to access the correct locker room for her sex/gender several times by using her key card on the door, but was denied entry. Paradoxically, during that time, even

though Defendants had appropriately reclassified Plaintiff as a female in their own records, Plaintiff was still only given access to the male locker room, which of course didn't match her actual sex and/or gender.

28. In early December, Plaintiff again wrote to Defendants, requesting a response to her request for female locker room access. Defendants still did not respond, and Plaintiff continued to be unable to access the correct locker room with her key card.

29. In mid-December, Plaintiff yet again wrote to Defendants, requesting a response to her request for female locker room access. Defendants still did not respond, and Plaintiff continued to be unable to access the correct locker room with her key card.

30. Because Defendants continued denying Plaintiff access to the locker room consistent with her sex/gender, in January 2015, Plaintiff was storing her coat in the break room instead of the locker rooms like the rest of the employees were able to do. On January 12, 2015, Plaintiff's down jacket (valued at approximately \$300) was either intentionally or unintentionally vandalized/damaged with ink.

31. Also in January 2015, a Defendant supervisor sent an email to at least 16 employees expressing exasperation with Plaintiff's requests to be treated as a female in the workplace. The supervisor complained that she wasn't, "dealing with this well," and that she didn't, "want to be schooled on transgender[.]" The supervisor went on to write that she didn't, "feel it should be in our department no

different [sic] that the [sic] life style choices of a gay, lesbian, or promiscuous heterosexuals. . .”

32. Upon information and belief, this supervisor referenced in the immediately preceding was never disciplined, formally or informally, for her conduct.
33. The email sent by the supervisor provides a glimpse of the attitudes ranging from fear and uncertainty to hostility and dislike that pervaded Defendants’ management and perhaps explains why Defendants continued to deny Plaintiff access to the locker room consistent with her gender on the same terms and conditions as other employees.
34. On February 3, 2015, Plaintiff called Defendants’ management on the telephone and complained about the continued disparate treatment. While she recognized that Defendants and some Defendant employees were making some genuine good-faith efforts to treat her equally, she emphasized to Defendants that she was still not being treated equally at work. Defendants’ management did not have a substantive response for Plaintiff, saying only that, “things take time.”
35. Ultimately, Plaintiff left her employment with Defendants in Spring 2015, feeling that she was unable to continue working in a workplace environment that didn’t fully treat her in a manner consistent with her sex/gender equally to other employees.

**COUNT 1:**

**SEX/GENDER DISCRIMINATION; INTENTIONAL DISPARATE  
TREATMENT BECAUSE OF SEX/GENDER**

**42 U.S.C. § 2000e *et seq.*; 42 U.S.C. § 1981a *et seq.***

36. The allegations contained in the foregoing paragraphs are hereby incorporated herein by reference.
37. Defendants violated 42 U.S.C. § 2000e *et seq.* and 42 U.S.C. § 1981a *et seq.*, by subjecting Plaintiff to disparate terms and conditions because of sex. Despite uncontroverted evidence that Plaintiff's gender identity was female and that Plaintiff had begun living and working full-time as female as part of a gender transition, Defendants refused to allow Plaintiff to use the women's locker room and forced her to use the men's locker room instead. Furthermore, Plaintiff
38. Defendants imposed these terms and conditions of employment due to sex-based considerations – specifically, because: Plaintiff is a woman who is transgender; and/or, because of Plaintiff's transition from male to female; and/or, because Plaintiff did not conform to Defendants' sex- or gender-based preferences, expectations, or stereotypes of women; and/or, because of Defendants' sex- or gender-based expectations or stereotypes related to individuals assigned the male sex at birth.
39. The effect of the practices complained of in the foregoing paragraphs has been to discriminate against Plaintiff with respect to the terms and conditions of her employment and/or to limit, segregate, and classify Plaintiff in a way that deprives or tends to deprive her of equal employment opportunities and otherwise adversely affect her status as an employee because of sex.

40. The unlawful employment practices complained of in the foregoing paragraphs were intentional.

41. The unlawful employment practices complained of in the foregoing paragraphs were done with malice or with reckless indifference to the federally protected rights of Plaintiff.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff requests that this Court:

Enter a judgment in favor of Plaintiff and against Defendants, as follows:

1. An order granting Plaintiff judgment against Defendants;
2. An order granting permanent injunction enjoining Defendants, their officers, agents, servants, employees, attorneys, and all persons in active concert or participation with them, from engaging in the unlawful conduct of discriminating against employees who have undergone, or are undergoing, a gender transition.
3. An order requiring Defendants to institute and carry out policies, practices, and programs that provide equal employment opportunities for employees who have undergone, or are undergoing, a gender transition and which eradicate the effects of its past and present unlawful employment practices.
4. An order granting other affirmative relief necessary to eradicate the effects of Defendants' unlawful employment practices.
5. An order for Defendants to make Plaintiff whole by providing compensation for past and future non-pecuniary losses resulting from the

unlawful practices complained of in the foregoing paragraphs, including emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial.

6. An order for Defendants to pay Plaintiff punitive damages for its malicious or reckless conduct described in the foregoing paragraphs, in amounts to be determined at trial.
7. An order granting such further relief as the Court deems necessary and proper in the public interest.
8. An order for Defendants to pay Plaintiff's costs, interest and attorneys' fees.
9. An order for Defendants to pay any and all further relief available in equity and at law.

***Plaintiff demands a jury trial.***

Dated: Dec. 1, 2015

**MADIA LAW LLC**

/s/Joshua A. Newville  
Joshua A. Newville  
MN #395221 | WI #1092059  
Admitted to D. N.D.  
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**ATTORNEY FOR PLAINTIFF**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Faye T. Seidler

(b) County of Residence of First Listed Plaintiff Cass  
(EXCEPT IN U.S. PLAINTIFF CASES)

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

**DEFENDANTS**

Sanford; Sanford North; Sanford Clinic North; Sanford Medical Center Fargo; Sanford Research; Sanford Health Network; Sanford Health Network North; Sanford Health Foundation North; Sanford Health; an Sanford Health Fargo Region

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

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

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | <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. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER 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 Loans (Excludes 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>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 Federal 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 - Medical Malpractice	<b>PERSONAL INJURY</b> <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 <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	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other  <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act  <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157  <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))	<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 <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"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	FEDERAL TAX SUITS		
<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	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <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 <b>Other:</b> <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	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609		

**V. ORIGIN** (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):  
 42 U.S.C. § 2000e et seq.; 42 U.S.C. § 1981a et seq.

Brief description of cause:  
 sex/gender discrimination

**VII. REQUESTED IN COMPLAINT:**

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

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes  No

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

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE: Dec. 1, 2015  
 SIGNATURE OF ATTORNEY OF RECORD: /s/Joshua A. Newville

**FOR OFFICE USE ONLY**

RECEIVED # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPROVED BY \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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