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8 Attorneys for Plaintiff  
9 GUCCI AMERICA, INC.,  
10 a New York corporation

2007 DEC -4 PM 3:54  
U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

FILED

11 THE UNITED STATES DISTRICT COURT  
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 GUCCI AMERICA, INC., a New  
14 York corporation,

15 Plaintiff,

16 v.

17 JESSICA GUERRERO and  
18 MARTA CAROLINA MACHON,  
19 individually and jointly, d/b/a  
20 KASHCART.COM d/b/a  
21 MISS J 2886@GMAIL.COM d/b/a  
22 JCSUNGLASSES d/b/a  
23 JGSHOE.COM d/b/a  
24 PUPPYPAW2886 d/b/a  
25 ACCESORIESWORLD.COM and  
26 DOES 1-10,

27 Defendants.

CV07-07898 GAF FMOx  
Case No.

COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF

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1 Plaintiff, GUCCI AMERICA, INC., a New York corporation ("Gucci")  
2 hereby sues Defendants, JESSICA GUERRERO ("Guerrero") and MARTA  
3 CAROLINA MACHON ("Machon"), individually and jointly, d/b/a  
4 KASHCART.COM d/b/a MISS\_J\_2886@GMAIL.COM d/b/a JCSUNGLASSES  
5 d/b/a JGSHOE.COM d/b/a PUPPYPAW2886 d/b/a ACCESORIESWORLD.COM  
6 and DOES 1-10 (collectively "Defendants") and alleges as follows:

7 **JURISDICTION AND VENUE**

8 1. This action seeks to enforce 15 U.S.C. §§ 1114, 1116, 1121, and  
9 1125(a). Furthermore, this action is one in which diversity of citizenship exists and  
10 the amount in dispute exceeds \$75,000.00. Accordingly, this Court has jurisdiction  
11 under 28 U.S.C. §§ 1331, 1332, and 1338. Venue is proper in this Court under 28  
12 U.S.C. § 1391 since Defendants' principal place of business is within this District,  
13 and Defendants conduct business activities within this District. Furthermore, venue  
14 is appropriate since a substantial portion of the acts giving rise to this case occurred  
15 within this District.

16 **THE PARTIES**

17 2. Gucci is a corporation duly organized under the laws of the State of  
18 New York with its principal place of business in the United States located at 685  
19 Fifth Avenue, New York, New York 10022. Gucci is, in part, engaged in the  
20 business of manufacturing and distributing throughout the world, including within  
21 this Judicial District, high quality handbags, wallets, sunglasses, and other goods  
22 under the Federally registered trademarks NON-INTERLOCKING GG  
23 MONOGRAM, GUCCI, FACING GG MONOGRAM, REPEATING GG  
24 DESIGN, and INTERLOCKING GG MONOGRAM (collectively the "Gucci  
25 Marks").

26 3. Guerrero is an individual, who, upon information and belief, conducts  
27 business within this Judicial District through the aliases "Kashcart.com,"  
28 "Miss\_J\_2886@gmail.com," "JCSunglasses," "JGShoe.com," "Puppypaw2886,"

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1 and "Accesoriesworld.com." Upon information and belief, Guerrero resides and  
2 conducts business at 200 S. Occidental Boulevard, #201, Los Angeles, California  
3 90057 and also conducts business at 3640 Virginia Road, Los Angeles, California  
4 90016.

5 4. Upon information and belief, Guerrero is directly and personally  
6 engaging in the sale of counterfeit and infringing products within this District as  
7 alleged herein.

8 5. Machon is an individual, who, upon information and belief, conducts  
9 business within this Judicial District through the aliases "Kashcart.com,"  
10 "Miss\_J\_2886@gmail.com," "JCSunglasses," "JGShoe.com," "Puppypaw2886,"  
11 and "Accesoriesworld.com." Upon information and belief, Machon resides and  
12 conducts business at 3640 Virginia Road, Los Angeles, California 90016 and also  
13 conducts business at 200 S. Occidental Boulevard, #201, Los Angeles, California  
14 90057.

15 6. Upon information and belief, Machon is directly and personally  
16 engaging in the sale of counterfeit and infringing products within this District as  
17 alleged herein.

18 7. Defendants Does 1-5 are, upon information and belief, individuals who  
19 reside and/or conduct substantial business within this Judicial District. Further,  
20 Does 1-5 are directly and personally contributing, inducing and engaging in the sale  
21 of counterfeit products as alleged herein as partners or suppliers to the named  
22 Defendants. Plaintiff is presently unaware of the true names of Does 1-5. Plaintiff  
23 will amend this Complaint upon discovery of the identities of such fictitious  
24 Defendants.

25 8. Defendants Does 6-10 are business entities which, upon information  
26 and belief, reside and/or conduct business within this Judicial District. Moreover,  
27 Does 6-10 are, upon information and belief, directly engaging in the sale of  
28 counterfeit products as alleged herein as partners or suppliers to the named

1 Defendants. Plaintiff is presently unaware of the true names of Does 6-10.  
 2 Plaintiff will amend this Complaint upon discovery of the identities of such  
 3 fictitious Defendants.

4 **COMMON FACTUAL ALLEGATIONS**

5 9. Gucci is the owner of the following trademarks which are protected by  
 6 the following United States Federal Trademark Registrations:

7 <u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
8 INTERLOCKING GG MONOGRAM	3,072,549	March 28, 2006
9 NON-INTERLOCKING GG MONOGRAM	1,107,311	November 28, 1978
10 GUCCI	0,876,292	September 9, 1969
11 FACING GG MONOGRAM	3,039,631	January 10, 2006
12 REPEATING GG DESIGN	1,216,708	November 16, 1982

13 which are registered in International Classes 9 and 18 and are used in connection  
 14 with manufacture and distribution of, among other things, high quality handbags,  
 15 wallets, and sunglasses.

16 10. The Gucci Marks have been used in interstate commerce to identify  
 17 and distinguish Gucci's high quality handbags, wallets, sunglasses, and other goods  
 18 for an extended period of time.

19 11. The Gucci Marks have never been assigned or licensed to any of the  
 20 Defendants in this matter.

21 12. The Gucci Marks are symbols of Gucci's quality, reputation, and  
 22 goodwill and have never been abandoned.

23 13. Further, Gucci has expended substantial time, money and other  
 24 resources developing, advertising and otherwise promoting the Gucci Marks. The  
 25 Gucci Marks qualify as famous marks as that term is used in 15 U.S.C. §1125(c)(1).  
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 27  
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1           14. Gucci has extensively used, advertised and promoted the Gucci Marks  
2 in the United States in association with the sale of high quality handbags, wallets,  
3 sunglasses, and other goods and has carefully monitored and policed the use of the  
4 Gucci Marks.

5           15. As a result of Gucci's efforts, members of the consuming public  
6 readily identify merchandise bearing the Gucci Marks, as being high quality  
7 merchandise sponsored and approved by Gucci.

8           16. Accordingly, the Gucci Marks have achieved secondary meaning as  
9 identifiers of handbags, wallets, sunglasses, and other goods.

10          17. Upon information and belief, at all times relevant hereto, the  
11 Defendants in this action had full knowledge of Gucci's ownership of the Gucci  
12 Marks, including their exclusive right to use and license such intellectual property  
13 and the goodwill associated therewith.

14          18. Gucci has discovered Defendants are promoting and otherwise  
15 advertising, distributing, selling and/or offering for sale counterfeit products,  
16 including at least high quality handbags, wallets, sunglasses, and other goods  
17 bearing trademarks which are exact copies of the Gucci Marks (the "Counterfeit  
18 Goods.") Specifically, upon information and belief, Defendants are using the Gucci  
19 Marks in the same stylized fashion, for different and inferior quality goods.

20          19. Upon information and belief, Defendants' Counterfeit Goods are of a  
21 quality substantially different to that of Gucci's genuine goods. Despite the nature  
22 of their Counterfeit Goods and the knowledge they are without authority to do so,  
23 Defendants, upon information and belief, are actively using, promoting and  
24 otherwise advertising, distributing, selling and/or offering for sale substantial  
25 quantities of their Counterfeit Goods with the knowledge that such goods will be  
26 mistaken for the genuine high quality products offered for sale by Gucci. The net  
27 effect of Defendants' actions will be to result in the confusion of consumers who  
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1 will believe Defendants' Counterfeit Goods are genuine goods originating from and  
2 approved by Gucci.

3 20. Upon information and belief, Defendants purchase their Counterfeit  
4 Goods and advertise those goods for sale to the consuming public. In so  
5 advertising these products, Defendants use the Gucci Marks. Indeed, Defendants  
6 herein, upon information and belief, misappropriated Gucci's advertising ideas and  
7 entire style of doing business with regard to the advertisement and sale of Gucci's  
8 genuine products. Upon information and belief, the misappropriation of Gucci's  
9 advertising ideas in the form of the Gucci Marks has occurred, in part, in the course  
10 of Defendants' advertising activities and has been the proximate cause of damage to  
11 Gucci.

12 21. Upon information and belief, Defendants are conducting their  
13 counterfeiting and infringing activities at least within this Judicial District and  
14 elsewhere throughout the United States. As a result, Defendants are defrauding  
15 Gucci and the consuming public for Defendants' own benefit. Defendants'  
16 infringement and disparagement of Gucci does not simply amount to the wrong  
17 description of their goods or the failure of the goods to conform to the advertised  
18 quality or performance.

19 22. Defendants' use of the Gucci Marks, including the promotion and  
20 advertising, reproduction, distribution, sale, and offering for sale of their  
21 Counterfeit Goods, is without Plaintiff's consent or authorization.

22 23. Further, Defendants may be, upon information and belief, engaging in  
23 the above-described illegal counterfeiting and infringing activities knowingly and  
24 intentionally or with reckless disregard or willful blindness to Gucci's rights for the  
25 purpose of trading on the goodwill and reputation of Gucci. If Defendants'  
26 intentional counterfeiting and infringing activities are not preliminarily and  
27 permanently enjoined by this Court, Plaintiff and the consuming public will  
28 continue to be damaged.

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1 24. Defendants' above identified infringing activities are likely to cause  
2 confusion, deception and mistake in the minds of consumers, the public and the  
3 trade. Moreover, Defendants' wrongful conduct is likely to create a false  
4 impression and deceive customers, the public and the trade into believing there is a  
5 connection or association between Gucci's genuine goods and Defendants'  
6 Counterfeit Goods.

7 25. Plaintiff has no adequate remedy at law.

8 26. Plaintiff is suffering irreparable injury and has suffered substantial  
9 damages as a result of Defendants' counterfeiting and infringing activities.

10 27. The injuries and damages sustained by Plaintiff have been directly and  
11 proximately caused by Defendants' wrongful reproduction, use, advertisement,  
12 promotion, offering to sell, and sale of their Counterfeit Goods.

13 28. Plaintiff has retained the undersigned counsel to represent it in this  
14 matter and is obligated to pay said counsel a reasonable fee for such representation.

15 **COUNT I**

16 **TRADEMARK COUNTERFEITING AND INFRINGEMENT**

17 **(Against All Defendants)**

18 29. Plaintiff hereby readopts and realleges the allegations set forth in  
19 Paragraphs 1 through 28 above.

20 30. This is an action for trademark counterfeiting and infringement against  
21 Defendants based on their promotion, advertisement, distribution, sale, and/or  
22 offering for sale of the Counterfeit Goods bearing the Gucci Marks.

23 31. Specifically, Defendants, upon information and belief, are promoting  
24 and otherwise advertising, selling, offering for sale and distributing counterfeit and  
25 infringing handbags, wallets, sunglasses, and other goods bearing the Gucci Marks.  
26 Defendants are continuously infringing and inducing others to infringe the Gucci  
27 Marks by using them to advertise, promote and sell counterfeit handbags, wallets,  
28 sunglasses, and other goods.

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1 32. Defendants' counterfeiting and infringing activities are likely to cause  
2 and actually are causing confusion, mistake and deception among members of the  
3 trade and the general consuming public as to the origin and quality of Defendants'  
4 Counterfeit Goods bearing the Gucci Marks.

5 33. Defendants' unlawful actions have caused and are continuing to cause  
6 unquantifiable damages to Gucci.

7 34. Defendants' above-described illegal actions constitute counterfeiting  
8 and infringement of the Gucci Marks in violation of Gucci's rights under § 32 of the  
9 Lanham Act, 15 U.S.C. § 1114.

10 35. Plaintiff has suffered and will continue to suffer irreparable injury due  
11 to the above described activities of Defendants if Defendants are not preliminarily  
12 and permanently enjoined.

13 **COUNT II**  
14 **FALSE DESIGNATION OF ORIGIN**  
15 **PURSUANT TO § 43(a) OF THE LANHAM ACT**  
16 **(Against All Defendants)**

17 36. Plaintiff hereby readopts and realleges the allegations set forth in  
18 Paragraphs 1 through 28 above.

19 37. Defendants' Counterfeit Goods bearing the Gucci Marks have been  
20 widely advertised and distributed throughout the United States.

21 38. Defendants' Counterfeit Goods bearing the Gucci Marks are virtually  
22 identical in appearance to each of Gucci's respective genuine goods. However, the  
23 Counterfeit Goods are different and likely inferior in quality. Accordingly,  
24 Defendants' activities are likely to cause confusion in the trade and among the  
25 general public as to at least the origin or sponsorship of the Counterfeit Goods.

26 39. Defendants, upon information and belief, have used in connection with  
27 their sale of Counterfeit Goods, false designations of origins and false descriptions  
28 and representations, including words or other symbols which tend to falsely

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1 describe or represent such goods and have caused such goods to enter into  
2 commerce with possible knowledge of the falsity of such designations of origin and  
3 such descriptions and representations, all to the detriment of Plaintiff.

4 40. Specifically, Defendants, upon information and belief, have authorized  
5 an infringing use of the Gucci Marks, in Defendants' advertisement and promotion  
6 of their counterfeit and infringing handbags, wallets, sunglasses, and other goods.  
7 Defendants, upon information and belief, have misrepresented to members of the  
8 consuming public that the Counterfeit Goods being advertised and sold by them are  
9 genuine, non-infringing products.

10 41. Defendants' above-described actions are in violation of Section 43(a)  
11 of the Lanham Act, 15 U.S.C. §1125(a).

12 42. Plaintiff has sustained injury and damage caused by Defendants'  
13 conduct, and absent an entry of an injunction by this Court, Plaintiff will continue  
14 to suffer irreparable injury to its goodwill and business reputation as well as  
15 monetary damages.

16 **PRAYER FOR RELIEF**

17 43. WHEREFORE, Gucci's demand judgment jointly and severally  
18 against Defendants as follows:

19 a. The Court enter a preliminary and permanent injunction  
20 enjoining Defendants, their agents, representatives, servants, employees, and all  
21 those acting in concert or participation therewith, from manufacturing or causing to  
22 be manufactured, importing, advertising or promoting, distributing, selling or  
23 offering to sell their Counterfeit Goods; from infringing, counterfeiting, or diluting  
24 the Gucci Marks; from using the Gucci Marks, or any mark or trade dress similar  
25 thereto, in connection with the sale of any unauthorized goods; from using any  
26 logo, trade name, trademark, or trade dress which may be calculated to falsely  
27 advertise the services or products of Defendants as being sponsored by, authorized  
28 by, endorsed by, or in any way associated with Plaintiff; from falsely representing

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1 themselves as being connected with Plaintiff, through sponsorship or association, or  
2 engaging in any act which is likely to falsely cause members of the trade and/or of  
3 the purchasing public to believe any goods or services of Defendants, or in any way  
4 endorsed by, approved by, and/or associated with Plaintiff; from using any  
5 reproduction, counterfeit, copy, or colorable imitation of the Gucci Marks in  
6 connection with the publicity, promotion, sale, or advertising of any goods sold by  
7 Defendants, including, without limitation, handbags, wallets, sunglasses, and other  
8 goods; from affixing, applying, annexing or using in connection with the sale of  
9 any goods, a false description or representation, including words or other symbols  
10 tending to falsely describe or represent Defendants' goods as being those of  
11 Plaintiff, or in any way endorsed by Plaintiff and from offering such goods in  
12 commerce; and from otherwise unfairly competing with Plaintiff.

13           b. Defendants be required to account to and pay Plaintiff for all  
14 profits and damages resulting from Defendants' trademark infringing and  
15 counterfeiting activities and that the award to Plaintiff be trebled, as provided for  
16 under 15 U.S.C. §1117, or, at Plaintiff's election with respect to Count I, that  
17 Plaintiff be awarded statutory damages from each Defendant in the amount of one  
18 million (\$1,000,000.00) dollars per each counterfeit Gucci Mark used and product  
19 sold, as provided by 15 U.S.C. §1117(c)(2) of the Lanham Act.

20           c. That Plaintiff be awarded punitive damages.

21           d. That Plaintiff be awarded pre-judgment interest on its judgment.

22           e. That Plaintiff be awarded at least treble damages as well as its  
23 costs and reasonable attorney fees and investigators fees associated with bringing  
24 this action.

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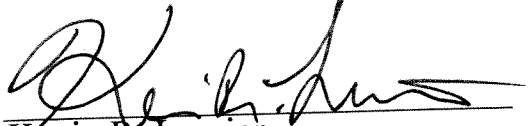
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f. That Plaintiff be awarded such other and further relief as the

Court may deem just and proper.

DATED: December 4, 2007.

BERRY & PERKINS  
A Professional Corporation

By 

Kevin R. Lussier  
Attorneys for Plaintiff  
CHANEL, INC., a New York  
Corporation

BERRY & PERKINS  
A PROFESSIONAL CORPORATION

Kevin R. Lussier [SBN 143821]  
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2049 Century Park East  
Suite 950  
Los Angeles, CA 90067-3134  
(310) 557-8989

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

Gucci America, Inc., a  
New York corporation

Plaintiff(s)

v.

Jessica Guerrero and Marta Carolina Machon, individually and jointly, dba  
Kashcart.com dba Miss\_J\_2886@gmail.com dba Jcsunglasses dba Jgshoe.com  
dba Puppypaw2886 dba Accessoriesworld.com and DOES 1-10

Defendant(s)

CASE NUMBER:

CV- CV07-07898 GAF

FMO

**SUMMONS**

TO: THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to file with this court and serve upon plaintiff's attorney  
Kevin R. Lussier, whose address is:

Berry & Perkins, a Professional corporation  
2049 Century Park East, Suite 950  
Los Angeles, California 90067  
(310) 557-8989

an answer to the  complaint  \_\_\_\_\_ amended complaint  counterclaim  cross-  
claim which is herewith served upon you within 20 days after service of this Summons upon you, exclusive  
of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded  
in the complaint.

CLERK, U.S. DISTRICT COURT

Date: DEC - 4 2007

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

KENDRA BRADSHAW  
SEAL  
Deputy Clerk

(Seal of the Court)

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

**I (a) PLAINTIFFS** (Check box if you are representing yourself )  
**GUCCI AMERICA, INC.,**  
 A New York corporation

**(b)** County of Residence of First Listed Plaintiff (Except in U.S. Plaintiff Cases):  
 New York, New York

**(c)** Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  
 Kevin R. Lussier [SBN 143821]  
 Berry & Perkins, PC  
 2049 Century Park East  
 Suite 950  
 Los Angeles, CA 90067-3134  
 (310) 557-8989

**DEFENDANTS**  
 Jessica Guerrero and Marta Carolina Machon, individually and jointly, dba  
 Kashcart.com dba Miss\_J\_2886@gmail.com dba Jcsunglasses dba Jgshoe.com dba  
 Puppypaw2886 dba Accessoriesworld.com and DOES 1-10  
 County of Residence of First Listed Defendant (In U.S. Plaintiff Cases Only):

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** - For Diversity Cases Only  
 (Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. ORIGIN** (Place an X in one box only.)

1 Original Proceeding  2 Removed from State Court  3 Remanded from Appellate Court  4 Reinstated or Reopened  5 Transferred from another district (specify):  6 Multi-District Litigation  7 Appeal to District Judge from Magistrate Judge

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

**CLASS ACTION under F.R.C.P. 23:**  Yes  No **MONEY DEMANDED IN COMPLAINT:** \$ According to proof

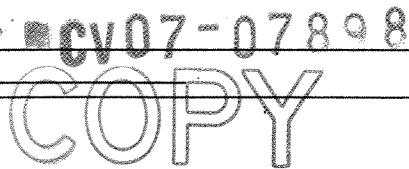
**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 15 USC ss 1114, 1116, 1121 and 1125(a). Defendants have engaged in trademark infringement and unfair competition.

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

OTHER STATUTES	CONTRACT	TORTS PERSONAL INJURY	TORTS PERSONAL PROPERTY	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 530 General	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litig.
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>FORFEITURE/PENALTY</b>	<b>PROPERTY RIGHTS</b>
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input checked="" type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 630 Liquor Laws	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	<b>REAL PROPERTY</b>		<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation		<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure		<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment				<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land				<b>FEDERAL TAX SUITS</b>
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

**VIII(a). IDENTICAL CASES:** Has this action been previously filed and dismissed, remanded or closed?  No  Yes  
 If yes, list case number(s):

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



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

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

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

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

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

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

IX. VENUE: List the California County, or State if other than California, in which EACH named plaintiff resides (Use an additional sheet if necessary)

Check here if the U.S. government, its agencies or employees is a named plaintiff.

NEW YORK

List the California County, or State if other than California, in which EACH named defendant resides. (Use an additional sheet if necessary).

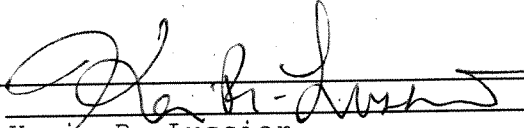
Check here if the U.S. government, its agencies or employees is a named defendant.

LOS ANGELES

List the California County, or State if other than California, in which EACH claim arose. (Use an additional sheet if necessary)

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

LOS ANGELES

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 12-4-07  
 Kevin R. Lussier

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))