1	HILL TO A MARKET CORNER OF THE				
	Heidi Buck Morrison (ISB No. 9396)				
2	RACINE OLSON, PLLP 201 E. Center Street				
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13	Attorneys for Plaintiffs Dwinell, LLC d/b/a Dwin	nell Country Ales, and North First Industries,			
4	Inc., d/b/a Varietal Beer Co.,				
15	LIMITED STATES	DISTRICT COURT			
		RICT OF IDAHO			
16		ader of Binio			
7					
8	JANE ROBERTS, an individual;	Case No.			
10	STEFAN YAUCHZEE, an individual;				
9	DWINELL, LLC, D/B/A DWINELL COUNTRY ALES, a Washington LLC; and				
20	NORTH FIRST INDUSTRIES, INC., D/B/A				
	VARIETAL BEER CO., a Washington	COMPLAINT			
21	corporation.				
22	DI - '4'.6C-				
23	Plaintiffs,				
24	VS.				
25	ROCKY GRIPTON, chief of Idaho alcohol				
25 26					
26	ROCKY GRIPTON, chief of Idaho alcohol beverage control, RAUL LABRADOR, Attorney General of Idaho,				
26 27	ROCKY GRIPTON, chief of Idaho alcohol beverage control, RAUL LABRADOR,				
26	ROCKY GRIPTON, chief of Idaho alcohol beverage control, RAUL LABRADOR, Attorney General of Idaho,				

COMPLAINT - 1

Plaintiffs make the following allegations based upon information and belief, except for the allegations pertaining to Plaintiffs, which are based upon personal knowledge.

INTRODUCTION

This is a civil rights action brought pursuant to 42 U.S.C. § 1983 challenging the constitutionality of Idaho laws, rules and practices that allow small in-state beer producers to self-distribute their products directly to Idaho retailers, bars and restaurants without using a separate wholesaler, but prohibit similarly situated out-of-state beer producers from doing so. The Plaintiffs seek a declaratory judgment that this scheme discriminates against out-of-state beer producers in violation of the dormant Commerce Clause. They seek an injunction prohibiting Idaho state officials from enforcing the ban and requiring them to permit out-of-state beer producers to self-distribute their products to Idaho retailers upon terms equivalent to those given to in-state producers.

JURISDICTION

- 1. This Court has jurisdiction to hear this case pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3), which confer original jurisdiction on federal district courts to hear suits alleging the violation of rights and privileges under the United States Constitution.
- 2. The Court has the authority to grant declaratory and other relief pursuant to 28 U.S.C. §§ 2201 and 2202.

PLAINTIFFS

3. Consumer Plaintiff Jane Roberts is a resident of Pocatello, Idaho. She is over the age of twenty-one and is legally permitted to purchase, receive, possess, and drink beer at her residence. She is a beer collector and desires to purchase special beers that are difficult to locate. As a consumer of fine and artisanal beer, she would like to purchase craft beer from out-of-state beer producers in Washington which would be added to her beer collection and have those beers shipped to her residence in Idaho, but Idaho laws, rules, and practices prohibit the out-of-state beer producers from doing so.

- 4. Consumer Stefan Yauchzee is a resident of Moscow, Idaho. He is over the age of twenty-one and is legally permitted to purchase, receive, possess, and drink beer at his residence. He is a beer collector and desires to purchase special beers that are difficult to locate. As a consumer of fine and artisanal beer, He would like to purchase craft beer from out-of-state beer producers in Washington which would be added to his beer collection and have those beers shipped to his residence in Idaho, but Idaho laws, rules, and practices prohibit the out-of-state beer producers from doing so.
- 5. Dwinell, LLC, operates a brewery in Goldendale, Washington, under the name of Dwinell Country Ales (hereafter "Dwinell"). It is licensed as a brewer by the State of Washington and the federal Alcohol & Tobacco Tax and Trade Bureau. It produces beer and distributes it to retailers, restaurants, and bars within the states of Washington, Oregon and California. It is seeking to distribute its beer in Idaho.
- 6. North First Industries, Inc. operates a brewery in Sunnyside, Washington, under the name of Varietal Beer Co. (hereafter "Varietal Beer"). It is licensed as a brewer by the State of Washington and the federal Alcohol & Tobacco Tax and Trade Bureau. It produces beer and distributes it to retailers, restaurants, and bars within the states of Washington and Oregon. It is seeking to distribute its beer in Idaho.

DEFENDANTS

- 7. Rocky Gripton is the Chief of the Idaho Alcohol Beverage Control Bureau, a division of the Idaho State Police. His office enforces Idaho alcohol laws, including those related to licensing and distribution of beer, pursuant to the authority given by I.C. § 23-804 and Id. Admin. R. 11.05.01.011.01.
- 8. Raul Labrador is the Attorney General of Idaho. He is authorized to enforce Idaho alcohol laws in state court under I.C. § 23-803, and in federal court under 27 U.S.C. § 122a.
 - 9. The defendants are sued in their official capacity for injunctive relief.

FIRST CAUSE OF ACTION (Commerce Clause Violation)

- 10. Plaintiffs repeat and re-allege paragraphs 1-9 as if fully set out herein.
- 11. Idaho Code § 23-1003(f) authorizes the issuance of a wholesaler license to a brewery located in Idaho producing fewer than 30,000 barrels annually, which allows it to self-distribute its beer to retailers.
 - 12. The wholesaler privileges are given to Idaho brewers at no additional cost.
- 13. Self-distribution costs a brewery less than distribution through a separate wholesaler and gives the brewer control over the cost to retailers.
- 14. Self-distribution ensures that an Idaho brewery can distribute its products to retailers state-wide even if it cannot find a wholesaler willing to carry its beer, and without interruptions caused by independent wholesaler decisions about carrying, marketing, and pricing the beer.
- 15. Some Idaho breweries have obtained this wholesale license and self-distribute their beer to retailers, restaurants, and bars in Idaho.
- 16. Plaintiff Dwinell is located in the State of Washington and licensed as a brewer by Washington. It produces fewer than 30,000 barrels of beer annually.
- 17. Dwinell is not eligible for an Idaho wholesale license under I.C. § 23-1003(f) because it does not hold an Idaho brewer's license under § 23-1003(a), a brewer's retail license under § 23-1003(d), or a brewer's pub license under § 23-1003(e).
- 18. Plaintiff Varietal Beer Co. is located in the State of Washington and licensed as a brewer in Washington. It produces fewer than 30,000 barrels of beer annually.
- 19. Varietal Beer Co. is not eligible for an Idaho wholesale license under I.C. § 23-1003(f) because it does not hold an Idaho brewer's license under § 23-1003(a), a brewer's retail license under § 23-1003(d), or a brewer's pub license under § 23-1003(e).

- 20. Dwinell and Varietal Beer Co. are permitted to self-distribute their beer under the laws of the State of Washington.
- 21. The licenses described in paragraphs 19 and 21 are issued only to brewers physically located in Idaho and approved by an Idaho city or county.
- 22. No other Idaho license or permit is available to brewers located outside Washington that would allow them to self-distribute their beer to retailers, restaurants and bars in Idaho without using a separate wholesaler.
- 23. Without a wholesale license, it is unlawful for a brewer to self-distribute its beer to Idaho retailers under I.C. § 23-1055(a), and a person doing so may be charged with a crime under § 23-602. Any criminal conduct on the part of Dwinell and Varietal Beer Co. subjects it to the denial, suspension, revocation or nonrenewal of its Washington license under RCW 66-24-010.
- 24. Wholesalers charge fees to distribute beer, so the use of a separate wholesaler raises the cost of beer to the purchaser and reduces the profit to the brewer.
- 25. Dwinell and Varietal Beer Co. have lost profits because of the ban on direct self-distribution to Idaho retailers.
- 26. Because Idaho brewers can self-distribute their beer to Idaho retailers without incurring the cost of using a separate wholesaler, they have a competitive advantage over similarly situated brewers from other states, including Dwinell and Varietal Beer Co.
- 27. Beer purchased directly from the brewer has economic and business advantages including avoiding the wholesaler cost markup, eliminating the risk that the wholesaler will carry insufficient stock of the beer, facilitating direct communication with the brewery concerning supply issues, and ensuring that the beer will be properly handled and refrigerated between the brewery and the retailer.
- 28. Dwinell and Varietal Beer Co. would distribute their beer directly to Idaho retailers, restaurants, and bars if permitted to do so.

- 29. Dwinell and Varietal Beer Co. would obtain an Idaho license, submit records, remit Idaho taxes on beer distributed to retailers in the state, and comply with other nondiscriminatory state regulations if required to do so.
- 30. Plaintiffs cannot complete the transactions described in paragraph 28 because Idaho law prohibits them.
- 31. The prohibition against self-distribution by out-of-state beer producers discriminates against out-of-state entities, protects the economic interests of Idaho wholesalers, and shields Idaho brewers from interstate competition in violation of the Commerce Clause of the United States Constitution.
- 32. The prohibition against self-distribution by out-of-state beet producers advances no public health or safety purpose that could not be served by nondiscriminatory alternatives, including monitoring sales at Idaho retailers, and therefore is not protected by the Twenty-first Amendment.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs seek the following relief:

- A. Judgment declaring that the provisions in I.C. §§ 23-1055(a) and 23-1055(d) that prohibit out-of-state brewers producing fewer than 30,000 barrels of beer annually from selling directly to Idaho retailers are unconstitutional under the Commerce Cause.
- B. Judgment declaring that the provisions in I.C. §§ 23-1003(d) and 23-1003(e) that limit the issuance of brewer's retail and brewer's pub licenses to breweries located in the state of Idaho are unconstitutional under the Commerce Clause.
- C. An injunction prohibiting defendants from enforcing those laws against out-of-state brewers and requiring them to allow out-of-state brewers to self-distribute their products to Idaho retailers, restaurants, and bars upon terms equivalent to those imposed on in-state brewers.

1	D. Plaintiffs do not request that the defendants be enjoined from requiring out-of-stat						
2	brewers to obtain the same no-cost wholesale license it requires for in-state brewers or compl						
3	with the same 30,000 barrel production limit it imposes on in-state brewers.						
4	E. Plaintiffs do not request that the State of Idaho be enjoined from collecting any taxes						
5	due on beer sold directly from a brewer to a retailer.						
6	F. An award of attorney's fees, costs, and expenses pursuant to 42 U.S.C. § 1988.						
7	G. Such other relief as the Court deems appropriate.						
8							
9	DATED this 4 th day of August, 2023.						
10	RACINE OLSON, PLLP						
11							
12	By: /s/ Heidi Buck Morrison						
14	HEIDI BUCK MORRISON						
15							
16							
17							
18	DATED this 4 th day of August, 2023.						
19	EPSTEIN SEIF PORTER & BEUTEL						
20							
21	By: /s/ Robert D. Epstein						
22	ROBERT D. EPSTEIN						
23	DATED this 4 th day of August, 2023.						
24	EPSTEIN SEIF PORTER & BEUTEL						
25							
26	By: /s/ James A. Tanford						
27	JAMES A. TANFORD						
28							

AO 440 (Rev. 06/12) Summons in a Civil Action	
UNITED STAT	TES DISTRICT COURT
	_ District of
Plaintiff(s) $V.$ $Defendant(s)$)))) (-) (-) (-) (-) (-) (-) (-
SUMMONS	S IN A CIVIL ACTION
To: (Defendant's name and address)	
are the United States or a United States agency, or an e P. 12 (a)(2) or (3) — you must serve on the plaintiff at	on you (not counting the day you received it) — or 60 days if you officer or employee of the United States described in Fed. R. Civ. n answer to the attached complaint or a motion under Rule 12 of motion must be served on the plaintiff or plaintiff's attorney,
If you fail to respond, judgment by default will You also must file your answer or motion with the cou	ll be entered against you for the relief demanded in the complaint. urt.
	CLERK OF COURT

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

	This summons for (nan	ne of individual and title, if any)			
was re	ceived by me on (date)				
	☐ I personally served	the summons on the indiv	ridual at (place)		
	r J		on (date)	; or	
	☐ I left the summons	at the individual's residen	ce or usual place of abode with (name)		
		, a	person of suitable age and discretion who resi	ides there,	
	on (date), and mailed a copy to the individual's last known address; or				
	☐ I served the summo	ons on (name of individual)		, who is	
	designated by law to a	accept service of process of	on behalf of (name of organization)		
			on (date)	; or	
	☐ I returned the sumn	nons unexecuted because		; or	
	☐ Other (specify):				
	My fees are \$	for travel and \$	for services, for a total of \$		
	I declare under penalty	y of perjury that this inform	mation is true.		
Date:			Server's signature		
			Printed name and title		
			Server's address		

Additional information regarding attempted service, etc:

U	NITED	STATES	DISTRICT	Court
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	for the					
District of						
Plaintiff(s) V. Defendant(s)))) ()) () () () () () () () () () ()					
	,					
SUMMON	S IN A CIVIL ACTION					
To: (Defendant's name and address)						
are the United States or a United States agency, or an	on you (not counting the day you received it) — or 60 days if you officer or employee of the United States described in Fed. R. Civ. an answer to the attached complaint or a motion under Rule 12 of					
	motion must be served on the plaintiff or plaintiff's attorney,					
If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.						
	CLERK OF COURT					
Date:	Signature of Clerk or Deputy Clerk					

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

	This summons for (nan	ne of individual and title, if any)				
was re	ceived by me on (date)	·				
	☐ I personally served	the summons on the individua	ıl at (place)			
			on (date)			
	☐ I left the summons at the individual's residence or usual place of abode with (name)					
		, a pers	son of suitable age and discretion who res	sides the	ere,	
	on (date)	, and mailed a copy t	o the individual's last known address; or			
	☐ I served the summo	ons on (name of individual)			, who is	
	designated by law to a	accept service of process on be	chalf of (name of organization)			
			on (date)	; or		
☐ I returned the summons unexecuted because					; or	
	☐ Other (specify):					
	My fees are \$	for travel and \$	for services, for a total of \$			
	I declare under penalty	of perjury that this information	on is true.			
Date:						
			Server's signature			
			Printed name and title			
			Server's address			

Additional information regarding attempted service, etc:

JS 44 (Rev. 04/21)

Case 4:23-cv-00346-EFFILD@@went 15311-Filed 08/04/23 Page 1 of 2

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.)

purpose of initiating the civil de	ocket sheet. (SEE INSTRUCTIONS C	ON NEXT PAGE OF THIS I	FORM.)			
I. (a) PLAINTIFFS			DEFENDANTS			
Jane Roberts, S Industries.	tefan Yauchzee, Dwinell L	LC, North First				
	ari vi in inica D	.1.		A		
(b) County of Residence of	of First Listed Plaintiff Bannoc SCEPT IN U.S. PLAINTIFF CASES)	CK	County of Residence	of First Listed Defendant A (IN U.S. PLAINTIFF CASES OF	da _{M/(V)}	
(EZ	CEFT IN U.S. FLAINTIFF CASES)		NOTE: IN LAND CO	NDEMNATION CASES, USE THOSE LAND INVOLVED.		
(c) Attorneys (Firm Name, A	Address, and Telephone Number)		Attorneys (If Known)			
	· ·	201 F Contor	, , , , , ,			
	ison, Racine Olson, PLLP) 83201, 208-232-6101	, 201 E. Center				
II. BASIS OF JURISD	ICTION (Place an "X" in One Box	Only) III. C			Place an "X" in One Box for Plaintiff nd One Box for Defendant)	
1 U.S. Government	▼ 3 Federal Question		(For Diversity Cases Only) PT		PTF DEF	
Plaintiff	(U.S. Government Not a Par	ty) Citi	izen of This State	1 Incorporated or Pri of Business In T		
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Part		izen of Another State	2 Incorporated and P of Business In A		
			izen or Subject of a	3 Sometime 3 Foreign Nation	6 6	
IV. NATURE OF SUIT	(Place an "X" in One Box Only)	•	ı	Click here for: Nature of S	uit Code Descriptions.	
CONTRACT	TORTS	F	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
110 Insurance 120 Marine	310 Airplane 365 1	Personal Injury -	625 Drug Related Seizure of Property 21 USC 881	422 Appeal 28 USC 158 423 Withdrawal	375 False Claims Act 376 Qui Tam (31 USC	
130 Miller Act 140 Negotiable Instrument		Product Liability Health Care/	690 Other	28 USC 157 INTELLECTUAL	3729(a)) 400 State Reapportionment	
150 Recovery of Overpayment	320 Assault, Libel &	Pharmaceutical		PROPERTY RIGHTS	410 Antitrust	
& Enforcement of Judgment 151 Medicare Act		Personal Injury Product Liability		820 Copyrights	430 Banks and Banking 450 Commerce	
152 Recovery of Defaulted		Asbestos Personal		830 Patent 835 Patent - Abbreviated	460 Deportation	
Student Loans	340 Marine	Injury Product		New Drug Application	470 Racketeer Influenced and	
(Excludes Veterans)		Liability	LABOR	840 Trademark	Corrupt Organizations	
153 Recovery of Overpayment of Veteran's Benefits		ONAL PROPERTY Other Fraud	710 Fair Labor Standards	880 Defend Trade Secrets	480 Consumer Credit (15 USC 1681 or 1692)	
160 Stockholders' Suits		Truth in Lending	Act	Act of 2016	485 Telephone Consumer	
190 Other Contract		_	720 Labor/Management	SOCIAL SECURITY	Protection Act	
195 Contract Product Liability 196 Franchise		Property Damage Property Damage	Relations 740 Railway Labor Act	861 HIA (1395ff) 862 Black Lung (923)	490 Cable/Sat TV 850 Securities/Commodities/	
190 Planemse		· · · —	751 Family and Medical	863 DIWC/DIWW (405(g))	Exchange	
	Medical Malpractice		Leave Act	864 SSID Title XVI	890 Other Statutory Actions	
REAL PROPERTY			790 Other Labor Litigation	865 RSI (405(g))	891 Agricultural Acts	
210 Land Condemnation 220 Foreclosure		eas Corpus: Alien Detainee	791 Employee Retirement Income Security Act	FEDERAL TAX SUITS	893 Environmental Matters 895 Freedom of Information	
230 Rent Lease & Ejectment		Motions to Vacate	meeme seeming ries	870 Taxes (U.S. Plaintiff	Act	
240 Torts to Land	443 Housing/	Sentence		or Defendant)	896 Arbitration	
245 Tort Product Liability 290 All Other Real Property		General Develop	DAMICD ATION	871 IRS—Third Party 26 USC 7609	899 Administrative Procedure	
290 All Other Real Property	445 Amer. w/Disabilities - 535 Employment Otho	Death Penalty	IMMIGRATION 462 Naturalization Application	20 030 7009	Act/Review or Appeal of Agency Decision	
			465 Other Immigration		950 Constitutionality of	
		Civil Rights	Actions		State Statutes	
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II. ODICINI		Confinement				
V. ORIGIN (Place an "X" is						
	moved from 3 Remand te Court Appella		instated or 5 Transfer opened Another (specify)	District Litigation -		
	Cite the U.S. Civil Statute und	ler which you are filing	(Do not cite jurisdictional state	utes unless diversity):		
VI. CAUSE OF ACTIO	ON 42 USC 1983 Brief description of cause: Constitutional challenge to Idah	no Code 23-1055(a) and	(d) and Idaho Code 23-1003	(d) and (e) request for injunctive	ve relief	
VII. REQUESTED IN	CHECK IF THIS IS A C		DEMAND \$	· · · · · · · · · · · · · · · · · · ·	if demanded in complaint:	
COMPLAINT:	UNDER RULE 23, F.R.C	B110011011	DEMAND \$	JURY DEMAND:	Yes No	
VIII. RELATED CASI	E(S)					
IF ANY	(See instructions):	C.		DOCKETALBORD		
	JUDGI			DOCKET NUMBER		
DATE	SIG	NATURE OF ATTORNEY	OF RECORD			
08/04/2023	/s/ H	leidi Buck Morrison				
FOR OFFICE USE ONLY						
PECEIPT# AN	MOLINT	ADDI VING IED	HIDGE	MAG HID)GE	

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

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 there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.
- V. Origin. Place an "X" in one of the seven 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. 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 – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.

Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

- 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.