

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

BETTY ALEXIS	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.: <b><u>3:19-cv00543-REP</u></b>
	)	
JASON KAMRAS,	)	
Serve: 301 North Ninth Street	)	
Richmond, VA 23219	)	
	)	
and	)	
	)	
CITY OF RICHMOND SCHOOL BOARD	)	
d/ b/ a RICHMOND PUBLIC SCHOOLS	)	
Serve: Dawn Page, Chair	)	
City of Richmond School Board	)	
301 North 9 <sup>th</sup> Street	)	
Richmond, VA 23219	)	
	)	
Defendants.	)	

**COMPLAINT**

Plaintiff Betty Alexis (“Alexis” or “Plaintiff”), by counsel, states as follows for her Complaint against defendants Jason Kamras (“Kamras”), who is sued in his individual and official capacities, and the City of Richmond School Board d/ b/ a Richmond Public Schools (“RPS” or the “School System”).

**NATURE OF ACTION**

1. This is an action for defamation, malicious prosecution, and violations of due process rights under the Fifth and Fourteenth Amendments to the U.S. Constitution which arises out of an alleged cheating scandal at George Washington Carver Elementary School (“Carver”) in Richmond, Virginia. In a nutshell, after the Virginia Department of Education (“VDOE”) issued a report about alleged irregularities in the Standards of

Learning (“SOL”) tests conducted at Carver in May 2018, these defendants, in whole and in part, without ever conducting their own investigation into the claims by the VDOE or the alleged testing irregularities, without ever talking to the alleged perpetrators of the alleged testing irregularities, upon knowing that numerous people raised questions about the veracity of the allegations made by the VDOE, and even after learning that many of the key allegations made by the VDOE rested only on hearsay, made numerous unfounded public statements which falsely called Alexis a cheater, falsely accused her of participating in a “systemic effort” to cheat at Carver, and falsely blamed her for the academic stain that now exists at Carver. Kamras even went so far as to continually push for the revocation of Alexis’ teaching license, even after it became abundantly clear that the School System could not prove she did anything that justified such a revocation. As such, as explained herein, this conduct violates state and federal law, and Alexis now files this lawsuit to hold the defendants liable for their unlawful actions.

#### **PARTIES**

2. Alexis is an individual resident of Richmond, Virginia. At all relevant times herein up until August 2018, Alexis was employed by the School System.

3. Defendant Kamras, upon information and belief, is an individual who resides in Virginia. At all relevant times herein, Kamras has been the Superintendent of the School System. He is sued in both his official and his individual capacities.

4. Defendant City of Richmond School Board operates, controls, and is otherwise legally responsible for the School System. It is a corporate entity with authority to sue and be sued under Virginia law. *See* Va. Code § 22.1-71. It is also a person within the contemplation of 42. U.S.C. § 1983.

### **JURISDICTION AND VENUE**

5. Jurisdiction is conferred on this Court by 28 U.S.C. § 1331. Pendent and supplemental jurisdiction of the common law counts (Counts II and III) is conferred pursuant to 28 U.S.C. § 1367.

6. Venue is proper in this district and division pursuant to 28 U.S.C. § 1391, as this is the district and division where a substantial part of the events or omissions giving rise to the claims occurred.

### **FACTUAL BACKGROUND**

7. Up until the time of her forced resignation in August 2018, Alexis had worked for the School System for 17 years. At the time of her forced resignation, Alexis worked as a Compliance Coordinator at Carver.

8. In the Spring of 2018 (May 2018), Alexis assisted in SOL testing at Carver as a proctor.

9. Soon thereafter, on or about June 1, 2018, personnel from the (“VDOE”) came to Carver and began interviewing students, teachers, and administrators about the May 2018 testing. They interviewed Alexis on June 1, 2018.

10. Almost two months later, on July 30, 2018, the VDOE published a report about SOL testing at Carver, titled “Report on George Washington Carver Elementary School, Richmond Publish Schools, 2018 Standards of Learning Test Investigation, July 30, 2018” (the “Report”). In brief, the Report purported to identify and summarize various testing irregularities that allegedly occurred at Carver during the Spring 2018 SOL testing sessions at Carver.

11. Notably, the Report relied heavily on what it called “change data” – that is, computer data showing the students, during their tests, apparently changed their test

answers from an *incorrect* response to a *correct* response or *no* response at a suspiciously high rate – to demonstrate and prove testing irregularities at Carver. The Report placed a key emphasis on this data and stated in various places in it that this change data “raised significant concerns about the integrity of these tests when combined with other information collective during their investigation.”

12. Elsewhere in the Report, however, the VDOE purported to provide a summary of certain statements that students had allegedly made about the recent SOL testing during their interviews with VDOE personnel. Relevant here, on page 11, the Report stated that students had said the following about Alexis:

- “If I get stuck, I ask Ms. Alexis what does it mean. She gives me examples. Sometimes she helps me decide which paragraph to read. After I answered the question, she asked me, ‘Did it say they did that?’ She tells me to go back to check to see.”
- “She [Ms. Alexis] gives hints. She says think again but can’t give you the answer.”

The Report, however, specifically noted that *none* of these alleged statements could be correlated to any specific change data.

13. Additionally, the Report accused Alexis of assisting in trying to get parents to refuse to have their children re-tested by having them sign opt out forms for their children. On page 14, the Report stated that a teacher reported, in relevant part, that “Ms. Alexis was getting parents to sign the form at the van pick up.”

14. Finally, the Report said that various anonymous sources had reported that a small group of staff members, often referred to as the “inner circle,” received benefits and privileges from the then-principal of Carver.

15. On the same day that the VDOE issued its Report, Kamras met with local reporters to comment on it. He began the meeting by reading a prepared statement about

the Report in which he essentially vouched in full for the Report. In relevant part, Kamras' statement said:

The report is deeply troubling. It presents abundant evidence of what amounts to cheating by a small group of adults on the SOL examinations for the past several years at Carver. To be clear: our students did nothing wrong; they merely followed the instructions of the adults responsible for them.

Cheating is unacceptable. Full stop. Above all else, my administration will be one of integrity – which, as one of my favorite elementary teachers so aptly put it, means doing the right thing even when no one is looking. We ask this of our students; the least we can do is model it ourselves.

To safeguard the integrity of our testing processes across the division, I have asked Dr. Tracy Epp, our Chief Academic Officer, to convene a working group of teachers and principals to provide recommendations about both policy and practice in time for the Spring 2019 SOL testing.

What most disturbs me about what occurred at Carver is that it effectively robbed our young people of the opportunity to demonstrate their learning free from suspicion. In doing so, it helped perpetuate pernicious stereotypes about what children from low-income families and children of color can achieve.

To be blunt: too many people thought, “How could Carver, which serves nearly 100% low-income students and students of color, have such high scores? There must be something going on.” With those suspicions now confirmed, corrosive biases about our students, as well as the inequities that flow from them, have the potential to become even more ingrained in our city.

We can't let that happen.

To the entire City of Richmond, I want to say this as clearly as I possibly can: High achievement at every one of our high-poverty schools is unequivocally possible. I've seen it with my own students when I taught in a high-poverty neighborhood in Washington DC, and I've seen it in countless classrooms across the country – including Richmond.

At the same time, I am the first to admit that high-performing, high-poverty classrooms are the exception, not the rule, in RPS. We have a moral obligation to change that – and we will.

I'm under no illusion that doing so will be easy. It's going to require us to confront biases and stereotypes head-on; to provide more and better support to our students and teachers alike; to be bold and innovative; to fiercely

advocate for more resources; and to be unrelenting in the face of challenges ahead.

Every one of our students, from every single neighborhood and every single family, has the capacity for greatness. It is our collective responsibility to create the conditions that will allow that greatness to shine. And that is exactly what we will do.

<https://www.facebook.com/CBS6News/videos/kamras-on-carver-sol-cheating-scandal/10155879566312426/> (emphasis added).

16. Kamras then fielded questions from reporters. As an initial question, Kamras was asked whether he believed the “cheating” was done “intentionally” or was the product of “mistakes” or not following protocol. *Id.* He responded: “Based on the evidence in the report, ***I don’t see any other conclusion than it was intentional.***” (emphasis added). He was also asked about who were the perpetrators of the cheating. He referred to the Report and said: “It lists the ***individuals who were involved.***” *Id.* (emphasis added). Further, after acknowledging that it was not likely that Carver would be accredited by the VDOE for the upcoming year, he was asked “Who do you blame? [for this]” He said: “***I blame the individuals who misguided our students.***” *Id.* (emphasis added).

17. On that same day, Kamras published a statement on the School System’s website which largely echoed verbatim the statement set forth in paragraph 15 above. It ***remains*** on the School System’s website as of the filing of this suit and can be found at <https://www.rvaschools.net/site/default.aspx?PageType=3&DomainID=4&ModuleInstanceID=71&ViewID=6446EE88-D30C-497E-9316-3F8874B3E108&RenderLoc=0&FlexDataID=20794&PageID=1>

18. Two days later, on August 1, 2018, Kamras held a public meeting at Carver with parents, students, reporters, and citizens. Before starting the meeting, Kamras stood outside the school and gave a public press conference. In front of microphones and cameras,

he said “I want to reiterate that what happened at Carver is unconscionable. The **adults who orchestrated this systemic cheating** violated a sacred trust with our students and our families. Though I can’t comment on specific personnel actions, I want to assure the public that the individuals involved will be held accountable. To be direct: pending Board approval, I can confirm that no one who participated in the cheating scandal will be employed by RPS when the new school year begins. Moreover, pending State approval, I can confirm that **none of these individuals will hold a teaching or administrative license in the Commonwealth.**” <https://wtvr.com/2018/08/01/superintendent-carver-cheating-scandal-was-breach-of-trust/> (emphasis added). His message was clear – he had already decided that the persons in the Report were guilty as charged and needed to be expelled from RPS.

19. Once inside, Kamras began the meeting by reiterating these exact same comments – again stating things such as “**The adults who orchestrated this cheating** violated a sacred trust” and that the persons who were involved in the scandal would be terminated and that RPS would seek to revoke their teaching licenses.

20. Even so, at the meeting, many parents raised questions about the validity of the Report, especially the accuracy and validity of the students’ various comments. Notably, many parents spoke up about the facts that (i) some of the students have IEP’s, (ii) no one gave the students’ parents any advance notice about the student interviews or sought their consent; (iii) the VDOE personnel who interviewed the students had no prior connections with the students and were intimidating; (iv) the students were confused by the VDOE personnel; and (v) the parents did not get an opportunity to participate in the interviews of their own children.

21. One speaker also stood up and disputed that the claim in the Report that the PTA president had been trying to assist students opt out of additional SOL testing.

22. Kamras, however, did not accept these concerns. Instead, he affirmatively vouched for the veracity of the students' comments in the Report. He said, for example, said "multiple students independently, without being prompted, gave the exact same response as to how they were trained to respond in the testing" – which he called corroborating.

23. Kamras further collectively blamed all the individuals in the Report – without trying to differentiate them or determine whether any of the individuals were improperly named in the report – for the stain that now exists at Carver because of the cheating scandal. He said: "the actions of a few adults here were so unconscionable because their actions have now perpetuated the belief that a child from Carver can't be honor roll." He blamed all of the named individuals collectively for the "effects" of the Report and the fact that "now there is a cloud" over Carver's academic integrity.

24. **At no time before he made any of these statements did Kamras, interview, meet with, or talk to: (i) Alexis; or (ii) the students in the Report.**

25. **At no time during Spring SOL testing session (or any at time) did Alexis provide any inappropriate assistance, including any answers to test questions or any hints, to any of the students at Carver. Also, at no time during the Spring SOL testing session did Alexis try to influence parents of Carter students to opt out of SOL testing. Finally, at no time was Alexis part of any "inner circle" that received privileges for manipulating SOL testing.**

26. After Kamras' public statements about cheating at Carver, he then began a process to fire Alexis and to revoke her teaching license. Given the enormous pressure and strain caused by Kamras' public comments, including his definitive statement that he would



be seeking to terminate anyone involved in the scandal, Alexis felt she had no choice but to resign her employment.

27. Indeed, in the fall of 2018, after Kamras had made his public statements, Alexis applied for a job and identified her most recent employer as RPS. Then, when the prospective employer contacted RPS about Alexis' prior employment, it was told that Alexis had been involved in the scandal at Carver and that even though she resigned, if she had tried to stay, she would have been fired.

28. Alexis, however, fought to keep her teaching license. She first fought Kamras' recommendation of licensure revocation before the School Board. At that time, Kamras relied solely on the Report – providing no independent first-person testimony from anyone – and a few innocuous text messages and personnel documents. On the other side, Alexis testified under oath that she had not engaged in any improper conduct and also, through her attorney, showed that many of the alleged student comments were clearly taken out of context and did not in any way prove that she gave students inappropriate assistance. Despite this, the School Board accepted Kamras' licensure recommendation and voted to revoke Alexis' teaching license.

29. Alexis then appealed and *prevailed* in front of the VDOE's Superintendent's Investigative Panel in her request to have the Virginia Board of Education reject the School Board's licensure recommendation. That did not deter Kamras, however, who continued to push for revocation and pressed for the School System to continue to fight before the entire Virginia Board of Education. He did so, even though the controlling regulations preclude the revocation of a teaching license based solely on hearsay and even though the *only* evidence that the School System presented before the Board was based on hearsay. Finally, after hearing almost two hours of testimony and argument, the Board of Educations voted to

reject RPS's revocation recommendation.

30. Since all of this surfaced, the public blame that RPS placed on Alexis for the alleged testing irregularities has caused Alexis to be unable to obtain any further work in the public education field. She has also suffered specific harm caused by RPS associated with her attempts to find new employment and having RPS wrongfully blame her for what happened at Carver and state that she would have been fired regardless.

31. Additionally, since the time of Kamras' comments, Alexis has suffered substantial mental and emotional distress, public shame in her community, loss of sleep, and frustration about her termination.

**COUNT I:  
DUE PROCESS VIOLATION: LIBERTY INTEREST  
(AGAINST BOTH DEFENDANTS)**

32. The allegations of paragraphs 1-31 are realleged as if fully set forth herein.

33. Under the Fourteenth Amendment, Alexis has a liberty interest to engage in the commonplace occupations of her life and with respect to her good name, reputation, honor, and integrity.

34. Here, Kamras, as agent of a governmental body and acting under color of state law, violated Alexis' liberty interests by falsely indicating (in paragraphs 15-19 and 23 of the Complaint), in conjunction with forcing Alexis to resign, that Alexis had, among other things, orchestrated systemic cheating at Carver, had intentionally cheated, had caused a "cloud" and a stain upon Carver, and had been responsible for the loss of academic integrity at Carver. Kamras also expressly endorsed the many false statements made about Alexis in the Report when he repeatedly embraced the Report in public and touted the seeming veracity of the students' comments contained therein.

35. These false accusations impugn Alexis' good name, honor, reputation, and

integrity, thus causing a stigma to her reputation, and were used directly as the basis to deprive Alexis of her government job.

36. Additionally, the false statements at issue were made public to, among others, local television stations, local newspapers, and those (e.g., parents, citizens, and students) who attended the August 1, 2018 meeting.

37. Further, Kamras' actions are attributable to the School System because his comments made in his capacity as a de facto policy-maker at RPS and as the result of a de facto policy by RPS to wage a public relations campaign and affirmatively blame the individuals named in the Report as fast as possible (to lessen the lasting effect of the scandal) and *prior* to conducting any investigation into the accuracy or validity of the allegations therein.

38. As a direct result of defendants' actions, in violation of the rights secured to her under Section 1983, Alexis has been caused to suffer the loss of occupational opportunities and the compensation and benefits associated therewith. Additionally, Alexis has been caused to suffer personal injury, reputational harm, anxiety, emotional distress, personal humiliation and embarrassment as a result of their actions.

39. Further, Kamras' actions constitute gross, wanton, malicious, reckless, and/or intentional violations of Alexis' rights, thus entitling her to punitive damages.

40. Finally, Kamras' public comments – including the pervasiveness of such comments and the definitive nature of such comments – irreparably poisoned public perception about Alexis to such a degree that any type of name-clearing hearing or post-deprivation remedy would have been futile or worthless.

**COUNT II -- DEFAMATION  
(AGAINST KAMRAS)**

41. The allegations of paragraphs 1-40 are realleged as if fully set forth herein.

42. Alexis has been defamed by the statements of Kamras that are specifically referenced and set forth herein in paragraphs 15-19 and 23 of the Complaint, which statements were published and were made with the intent to defame Alexis.

43. The statements at issue are false and purport to be statements of fact, not statements of opinion. Among other things, Kamras falsely stated that Alexis (i) had orchestrated systemic cheating at Carver, (ii) had intentionally cheated, (iii) had caused a “cloud” and a stain on Carver, and (iv) had been responsible for the loss of academic integrity at Carver. Kamras also expressly endorsed the many false statements made about Alexis in the Report when he repeatedly embraced the Report and touted the seeming veracity of the students’ comments contained therein.

44. Moreover, the false statements all involve Kamras’ efforts to demean and disparage Alexis and to falsely accuse her of unprofessional occupational activities, unfitness to perform the duties of her job, and potentially even criminal activity and thus these statements constitute defamation *per se*.

45. As a proximate cause of the Kamras’ conduct, Alexis has suffered substantial compensatory damages, including as severe mental and emotional distress, reputational harm, loss of sleep, loss of income, humiliation, embarrassment, loss of time, and other damages.

46. In addition, the statements by Kamras were made intentionally, willfully, and maliciously against Alexis and with utter and conscious disregard of her rights.

Importantly, Kamras falsely made Alexis a scapegoat for the alleged testing irregularities at Carver without ever conducting a proper and full investigation into the matter.

47. Finally, no privileges attach to these statements, therefore, and Alexis is also entitled to punitive damages in this matter.

**COUNT III - MALICIOUS PROSECUTION  
(AGAINST KAMRAS)**

48. The allegations of paragraphs 1-47 are realleged as if fully set forth herein.

49. Here, Kamras instituted or procured the institution of the license revocation proceeding (which is quasi-criminal in nature) against Alexis; the proceeding ended in a manner not unfavorable to Alexis; the proceeding was without probable cause – which Kamras knew, especially by the time he continued to press forward at the Board of Education level of review; and Kamras acted maliciously.

50. As a proximate cause of Kamras’s malicious prosecution, Alexis has suffered substantial compensatory damages, including for such things as payment of attorney’s fees to defend her in the proceeding, mental and emotional distress, reputational harm, loss of sleep, humiliation, embarrassment, and loss of time at work. She also suffered the indignity of receiving “hate mail” and losing a potential job based on her connection to the Carter scandal and Kamras’ comments about taking the licenses of those who allegedly were involved in the scandal.

51. In addition, Kamras’ prosecution was made intentionally, recklessly, willfully, and maliciously against Plaintiff and with utter and conscious disregard of her rights. Thus, Plaintiff is also entitled to punitive damages in this matter.

WHEREFORE, Alexis respectfully and specifically requests the following relief against Defendants:

- (a) Compensatory and presumed damages in the amount of one million dollars (\$1,000,000), or some amount as may be determined at trial, to compensate Alexis for all of the damages associated with Kamras' defamation of her and his malicious prosecution of the license revocation proceeding against her;
- (b) Compensatory and presumed damages in the amount of one million dollars (\$1,000,000), or some amount as may be determined at trial, to compensate Alexis for all of the reputational damages associated with the defendants' violation of her Constitutional due process rights and liberty interests;
- (c) Punitive damages in the amount of three hundred fifty thousand dollars (\$350,000) dollars;
- (d) Attorney's fees;
- (e) Pre-judgment interest; and
- (f) Associated expenses and costs related to this action and all other such relief as is just and proper.

**A TRIAL BY JURY IS DEMANDED.**

BETTY ALEXIS

By: s/ Richard F. Hawkins, III  
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2222 Monument Avenue  
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Counsel for Plaintiff

CIVIL COVER SHEET

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

Betty Alexis

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

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

Richard F. Hawkins, III, The Hawkins Law Firm, PC, 2222 Monument Ave., Richmond, VA 23220; (804) 308-3040

DEFENDANTS

Jason Kamras, et al.

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, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 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)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Large table with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

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 - Transfer, 8 Multidistrict Litigation - Direct File

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. Section 1983

Brief description of cause: Section 1983 liberty interest due process claim, together with defamation and malicious prosecution claims

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 2,350,000.00 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

DATE 07/30/2019 SIGNATURE OF ATTORNEY OF RECORD /s/Richard F. Hawkins, III

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

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## 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.