

Geoffrey Polk
7627 Lake St Ste 206 A34
River Forest, IL 60305
(312)929-3861
Email: geoff@geoffreypolk.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GEOFFREY POLK,)
)
Plaintiff,)
)
v.)
)
)
)
LISA A. DOLPH, THE CLERK)
OF THE SUPREME)
COURT OF DELAWARE, in her official)
capacity,)
)
and)
)
PATRICIA BARTLEY SCHWARTZ,)
EXECUTIVE DIRECTOR OF THE)
BOARD OF BAR EXAMINERS OF THE)
DELAWARE SUPREME COURT, in her)
official capacity)
)
Defendant.)
)

C.A. No. **25 - 924** 

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2025 JUL 24 AM 10:24

COMPLAINT

Plaintiff, Geoffrey Polk (“Polk” or “Plaintiff”), *pro se*, files this Complaint, and hereby alleges as follows:

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction over the claims asserted herein pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1343(a).

2. The Defendants are subject to the personal jurisdiction of this Court because they are officers of the state of Delaware and thus reside in the state of Delaware.

3. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b) because the events giving rise to this suit occurred in this district.

FACTUAL ALLEGATIONS

4. Polk is an attorney, licensed and in good standing in forty-seven (47) states or jurisdictions, including Illinois, Indiana, Texas, Maryland, Florida, the District of Columbia, Wisconsin, North Carolina, North Dakota, Idaho, Georgia, Washington, South Dakota, Arkansas, Iowa, Nebraska, West Virginia, Michigan, Montana, Minnesota, Wyoming, Missouri, Vermont, Virginia, Pennsylvania, New Hampshire, Maine, Massachusetts, Colorado, New Mexico, New Jersey, Alaska, Utah, Connecticut, South Carolina, Arizona, Oklahoma, Oregon, Ohio, Rhode Island, Kentucky, New York, Alabama, Louisiana (Limited License to practice pursuant to, Rules of Supreme Court of Louisiana, Rule XVII §14), the Virgin Islands, Kansas, and Hawaii.

5. Polk is a legal resident of the state of Florida and is currently domiciled in Illinois.

6. On or about July 17, 2025, Polk intended to apply for a Rule 55.1 Certificate (hereafter “Certificate of Limited Practice”).

7. Delaware Supreme Court Rule 55.1(a)(4), Limited permission to practice as in-house counsel, now provides that to be eligible a lawyer must “have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer.”

8. Polk did not have, nor does he have, any intention to reside in Delaware.

9. Polk is not a bona fide resident of Delaware.

10. Polk does not maintain an office in Delaware, nor does he intend to obtain the same.

11. Polk does not have, nor does he intend to have any systematic or continuous presence *in* Delaware for the practice of law for his employer, Presidential Title LLC, a Delaware limited liability company.

12. Delaware Supreme Court Rule 55.1(a)(4) is mandatory in its terms and contains no waiver or hardship exception. Therefore, application would be futile, as the Clerk and Executive Director lack discretion to issue a Certificate of Limited Practice to an applicant who does not meet the office or continuous presence in Delaware requirement.

13. Polk desires to obtain his Certificate of Limited Practice and is being precluded from the same by Del. Supr. Ct. Rule 55.1(a)(4).

14. Plaintiff brings this action against the Clerk of the Supreme Court of Delaware, in their official capacity, as the official charged with administering and enforcing Del. Supr. Ct. Rule 55.1(a)(4).

15. The Clerk is responsible for reviewing and approving applications for limited practice under the Rule, and for denying such applications that do not satisfy the newly imposed ‘systematic presence’ and employer office requirements. These amendments operate to unconstitutionally burden interstate practice and restrict access to the Delaware courts, and enforcement of the Rule by the Clerk gives rise to the injuries alleged herein.

16. Plaintiff brings this action against the Executive Director of the Board of Bar Examiners of the Supreme Court of Delaware, in their official capacity, as the official charged with administering, reviewing, and enforcing the Certificate of Limited Practice under Del. Supr. Ct. Rule 55.1(a)(4). These officials are responsible for processing applications, imposing the newly enacted “systematic presence” and office-location requirements,

and denying certificates that fail to meet these criteria, thereby causing the Plaintiff's alleged injuries.

17. Polk otherwise qualifies for a Certificate of Limited Practice absent the office or systematic and continuous presence requirement of Del. Supr. Ct. Rule 55.1(a)(4).

CONSTITUTIONAL ALLEGATIONS

18. Polk re-alleges and incorporates by reference the allegations contained in the preceding Paragraphs as if fully set forth herein.

19. Polk incorporates by reference all prior paragraphs of the Complaint herein.

20. Del. Supr. Ct. Rule 55.1(a)(4) requirement that Polk, an individual, "have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer", is an unconstitutional discrimination against Polk in violation of the Privileges and Immunities Clause of the United States Constitution.

21. Del. Supr. Ct. Rule 55.1(a)(4) requirement that Polk, an individual, "Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer", is not "closely related to the advancement of a substantial state interest."

22. Obtaining a Certificate of Limited Practice is a "fundamental right" and a "common calling" of Polk.

23. There is no evidence to indicate that "non-residents" are a "peculiar source of evil" or that Del. Supr. Ct. Rule 55.1(a)(4) requirement that an applicant "Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer" is based on or directed at the same.

24. Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant "Have an office or other systematic and continuous presence in Delaware for the practice of law for the

Employer” is an unconstitutional discrimination against Polk in violation of the Interstate Commerce Clause of the U.S. Constitution, Article I, Section 8.

25. The Interstate Commerce Clause of the U.S. Constitution, Article I, Section 8, delegates to Congress the exclusive power to regulate interstate commerce. This power operates as a restraint on the legislative power of the states even when Congress has not expressly exercised that power, a doctrine known as the “dormant” Commerce Clause.

26. Any law that discriminates against interstate commerce in purpose or effect is *per se* unconstitutional. Even non-discriminatory burdens on interstate commerce are unconstitutional where the burdens imposed on interstate commerce are excessive in relation to the putative local benefits.

27. Del. Supr. Ct. Rule 55.1(a)(4) has a discriminatory effect on interstate commerce and out-of-state attorneys wishing to practice their trade in Delaware. Delaware residents may designate their home or first office as their definite place of business, while non-resident must incur additional costs to establish an in-state office to do business in the state.

28. Del. Supr. Ct. Rule 55.1(a)(4) has an additional discriminatory effect: it requires non-residents to travel to their definite place of business in Delaware to do business there, subjecting them to substantially higher costs and putting them on an unequal playing field.

29. This discrimination serves no legitimate local purpose, and even if it did, those purposes could be served by nondiscriminatory means.

30. These requirements also unduly burden interstate commerce. They impose significant burdens on non-resident attorneys, including paying for additional rent, utilities, maintenance, and travel. They force attorneys to perform services in Delaware even if they can be done more efficiently in another state.

31. This gives residents a competitive advantage over non-residents and dissuades non-residents from doing business in the state.

32. The burden on interstate commerce is not justified by any putative local benefit.

33. The requirements bear no relationship to ensuring attorneys are fit for the trade, to regulating the profession, to accessing records, or to otherwise protecting consumer welfare. Instead, it serves only to protect residents from legitimate out-of-state competition and economic protectionism is not a constitutionally legitimate local benefit.

34. The burdens imposed by the Del. Supr. Ct. Rule 55.1(a)(4) are excessive in relation to the local benefits.

35. Plaintiff has suffered and will continue to suffer substantial and irreparable harm unless Del. Supr. Ct. Rule 55.1(a)(4) is declared unlawful and enjoined by this Court.

36. Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer” is an unconstitutional discrimination against Polk in violation of the Equal Protection Clause of the United States Constitution, as applied to the states via the 14th Amendment, as it lacks any “rational basis.”

COUNT I: DECLARATORY JUDGMENT

37. Polk re-alleges and incorporates by reference the allegations contained in the preceding Paragraphs as if fully set forth herein.

38. Polk incorporates by reference all prior paragraphs of the Complaint herein.

39. An actual controversy exists between Polk and Defendants as to Polk’s entitlement to an Certificate of Limited Practice.

40. The parties have antagonistic claims involved which indicate imminent and inevitable litigation.

41. Plaintiff asserts a legal right or policy that the Defendants adamantly challenge and deny.

42. Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer” prevents Polk from receiving a Certificate of Limited Practice in violation of the Privileges and Immunities Clause of the United States Constitution.

43. Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer” prevents Polk from receiving a Certificate of Limited Practice in violation of the Interstate Commerce Clause of the U.S. Constitution, Article I, Section 8.

44. Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer” prevents Polk from receiving a Certificate of Limited Practice in violation of the Equal Protection clause of the United States Constitution, as applied to the states via the 14th Amendment.

45. Polk requests from this Court a Declaratory Judgment declaring Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer” unconstitutional and in violation of the Privileges and Immunities clause of the United States Constitution.

46. Polk requests from this Court a Declaratory Judgment declaring Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and

continuous presence in Delaware for the practice of law for the Employer” unconstitutional and in violation of the Interstate Commerce Clause of the U.S. Constitution, Article I, Section 8.

47. Polk requests from this Court a Declaratory Judgment declaring Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer” unconstitutional and in violation of the Equal Protection clause of the United States Constitution, as applied to the states via the 14th Amendment.

COUNT II: INJUNCTIVE RELIEF

48. Polk re-alleges and incorporates by reference the allegations contained in the preceding Paragraphs as if fully set forth herein.

49. Polk incorporates by reference all prior paragraphs of the Complaint herein.

50. Polk requests from this court injunctive relief ordering the Defendants to cease enforcing Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer” in violation of the United States Constitution.

51. Polk requests from this Court an order requiring the Defendants to issue Polk, upon proper application, a Certificate of Limited Practice, as required by law, exclusive of any residency requirement.

52. Injunctive relief is necessary because the law precludes the granting to Polk an Certificate of Limited Practice as required by law.

53. Polk is being substantially and irreparably harmed by these actions in that Polk is being precluded from practicing his trade as an attorney.

COUNT III: VIOLATION OF 42 U.S.C. §1983

54. Polk re-alleges and incorporates by reference the allegations contained in the preceding Paragraphs as if fully set forth herein.

55. Polk incorporates by reference all prior paragraphs of the Complaint herein.

56. By enforcing Del. Sup. Ct. Rule 55.1(a)(4), Defendants, acting under color of state law, are depriving Plaintiff of rights secured by the Constitution, including the Privileges and Immunities Clause, the Commerce Clause, and the Equal Protection Clause, in violation of 42 U.S.C. § 1983.

WHEREFORE, Polk prays to the end, therefore:

- A. THAT, this Honorable Court may pass a judgment against Defendants declaring Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer unconstitutional and in violation of the Privileges and Immunities Clause of the United States Constitution;
- B. THAT, this Honorable Court may pass a judgment against Defendants declaring Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer is unconstitutional and in violation of the Commerce Clause of the United States Constitution;
- C. THAT, this Honorable Court may pass a judgment against Defendants that Del. Supr. Ct. Rule 55.1(a)(4) requirement that an individual applicant “Have an office or other systematic and continuous presence in Delaware for the practice of law for the Employer unconstitutional and in violation of the Equal Protection clause of the United States Constitution, as applied to the states through the 14th amendment;
- D. THAT, this Honorable Court may pass an order of injunctive relief commanding and ordering Defendants to refrain from enforcing Del. Supr. Ct. Rule 55.1(a)(4);
- E. That, this Honorable Court may pass an order to the Defendants requiring them to issue Plaintiff a Certificate of Limited Practice, upon proper application, irrespective of any place of business or systematic presence requirement;
- F. THAT, Plaintiff may have such other relief as the nature of this cause of action may require.

/s/Geoffrey Polk

Geoffrey Polk, Esq.
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River Forest, IL 60305
Ph: 312-929-3861
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Geoffrey Polk, Attorney at Law

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River Forest, IL 60305
Telephone: (312)929-3861
Geoff@geoffreypolk.com

25 - 924 

July 21, 2025

District of Delaware
844 N King St. Unit 18
Wilmington DE 19801

Dear Clerk:

I enclose a complaint for a civil case to be filed along with the cover sheet and summons. Per my discussion with the Clerk this morning, I'm also including a Motion for Authorization to Participate in the CM/ECF System in the case along with a Proposed Order.

Please kindly email me a file stamped copy back to me if possible.

If you have any questions, please do not hesitate to contact me at the address listed above.

A check for \$405 accompanies this filing.

Thanks!


Geoffrey Polk, Attorney

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2025 JUL 24 AM 10:24
SJS

ORIGIN ID:BDFA (312) 929-3861
PRESIDENTIAL TITLE LLC
7627 LAKE ST. STE 206 A34
RIVER FOREST, IL 60305
UNITED STATES US

SHIP DATE: 21JUL25
ACTWGT: 1.00 LB
CAD: 263097369/FAPI2208
BILL SENDER

TO CLERK OF THE DISTRICT OF DELAWARE
DISTRICT OF DELAWARE
844 N KING ST. UNIT 18

WILMINGTON DE 19801

(312) 929-3861 REF:
INV: PO: DEPT:



ETP 1
745-7500
299 PD 100Y 882937541052
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WILMINGTON, DE
844 N KING ST
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CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2025 JUL 24 AM 10:24 665

JS 44 (Rev. 10/20)

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

Geoffrey Polk

(b) County of Residence of First Listed Plaintiff **Duval, FL**
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Geoffrey Polk, Attorney at Law, Pro se (312-929-3861)
7627 Lake St. Ste 206 A34, River Forest, IL 60305

DEFENDANTS

Lisa A. Dolph, The Clerk of the Supreme Court of Delaware, and Patricia Bartley Schwartz, Exec. Dir. of the Board of Bar

County of Residence of First Listed Defendant **N/A**
(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

25 - 924

FILED
 CLERK U.S. DISTRICT COURT
 DISTRICT OF DELAWARE
 2025 JUL 24 AM 10:35
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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)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| 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)

Click here for: Nature of Suit Code Descriptions.

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	PERSONAL INJURY <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	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <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"/> 376 Qui Tam (31 USC 3729(a)) <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 (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <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 checked="" type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	IMMIGRATION
<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 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	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<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	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions

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):
 Privileges and Immunities clause of the United States Constitution, Article IV, Section 2, Clause 1, Interstate Commerce Clause, 14th Amendment

Brief description of cause:
 Declaratory Judgment and Injunctive Relief with respect to Del. Supr. Ct. Rule 55.1(a)(4)

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: 07/21/2025

SIGNATURE OF ATTORNEY OF RECORD: *Geoffrey Polk*

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

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.