

FILED**Jan 25 - 2024**

John M. Domurad, Clerk

**UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF NEW
YORK****SCOTT PHILLIP LEWIS,**
Plaintiff,

v.

Paymaster Payroll Systems, Inc.;
Joseph Pompo; Kenneth Cardarelli
Defendant.§
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§**Jury Trial Demanded**
8:24-cv-121 (MAD/DJS)**PLAINTIFF'S ORIGINAL COMPLAINT**

TO THE DISTRICT COURT OF THE NORTHERN DISTRICT OF NEW YORK:

NOW COMES PLAINTIFF, Scott Phillip Lewis, and files Plaintiff's Original Complaint.

Plaintiff files this 28 CFR § 36.201 lawsuit for cause of action will show the following:

I. PARTIES

1. Plaintiff is Scott Phillip Lewis ("Plaintiff"), an individual and citizen of the United States of America.
2. Defendant #1 is Paymaster Payroll Systems, Inc. is a corporation located in the State of New York and can be served through its owner MARY ALICE POMPO at 120 E Washington St Suite 1004, Syracuse, New York, 13202. Service is requested contemporaneously with the filing of the complaint.
3. Defendant #2 is Joseph Pompo, an individual and resident of the State of New York and can be served at 113 Crabapple Lane, Syracuse, NY 13219. Service is requested contemporaneously with the filing of the complaint.
4. Defendant #3 is Kenneth Cardarelli, an individual and resident of the State of New York and can be served at 304 S Franklin St #200, Syracuse, NY 13202. Service is requested contemporaneously with the filing of the complaint.

II. JURISDICTION AND VENUE

5. The court has jurisdiction over this lawsuit according to 28 U.S.C § 1331. The court has personal jurisdiction over this matter because 28 CFR § 36.201 is a law of the United States of America.
6. Venue is proper in the United States District Court for the Northern District of New York, under 28 U.S.C § 1391(b). All of Defendant's place of business or residency is situated in this district and a substantial part of the events or omissions giving rise to claims in this lawsuit occurred within this judicial district.

III. FACTUAL ALLEGATIONS

7. Plaintiff's relationship with chronic pain begins in 2012. At this time, Plaintiff had their left wrist severely broken, requiring a fixation with screws and plates used to piece the arm back together. Surgery was performed at Upstate Orthopedics in East Syracuse, New York.
8. After surgery, Plaintiff was prescribed Oxycontin, a pain killer known for its high risk for addiction and dependence. Oxycontin was originally advertised as not being addictive by distributors such as Purdue Pharmaceuticals located in Stamford, Connecticut.
9. The Johns Hopkins Medicine website explains "[w]hen pain becomes such a problem that it interferes with your life's work and normal activities, you may become the victim of a vicious circle. Pain may cause you to become preoccupied with the pain, depressed, and irritable. Depression and irritability often leads to insomnia and weariness, leading to more irritability, depression, and pain."

[https://www.hopkinsmedicine.org/health/conditions-and-diseases/chronic-pain#:~:text=Pain%20may%20cause%20you%20to,suffering%2C%20sleeplessness%2C%20and%20sadness\).](https://www.hopkinsmedicine.org/health/conditions-and-diseases/chronic-pain#:~:text=Pain%20may%20cause%20you%20to,suffering%2C%20sleeplessness%2C%20and%20sadness).)
10. By 2013, Plaintiff had noticed changes in life's work and normal activities because of the

constant chronic pain in the left wrist. By May 2014, Plaintiff made the choice to remain abstinent from alcoholic beverages as the chronic pain mixed with alcohol had become an unpleasant experience with irritable behavior becoming more frequent. Shortly after making this choice, Plaintiff was hired as a Derivatives Trading Specialist at optionsXpress by Charles Schwab and JV Lacrosse Coach at Vandegrift High School in Austin, TX. Plaintiff moved from Syracuse, New York.

11. In November 2015, Plaintiff was involved in a hit and run accident on Rainey Street in Austin, Texas leaving Plaintiff with a concussion and traumatic brain injury (TBI). The police who were involved never followed up with Plaintiff, seemingly attempting to cover up what happened. Plaintiff is still working on obtaining a full police report and information from the officers involved at the November 2015 accident and cover up.
12. Plaintiff's open records request to the Austin Police Department remains incomplete. Questions surrounding the perceived cover up remain (Exhibit A).
13. In other words, it remains a mystery as to who was involved in the collision that left Plaintiff concussed and why the police were unable to follow up with Plaintiff on its subsequent investigation.
14. The hit and run incident, lack of police transparency and gaslighting from the Austin Police Department left Plaintiff with a disabling injury.
15. On or around April 2016, approximately five (5) months after Plaintiff was concussed and treating symptoms of post traumatic stress disorder ("PTSD") and attention-deficit hyperactivity disorder ("ADHD"), and asked Kenneth Cardarelli for assistance filing an extension to file a 2015 tax return.
16. Upon information and belief, Kenneth Cardarelli is a licensed Certified Public Accountant

(“CPA”) who ran a sole proprietorship in Syracuse, New York in the business of preparing tax returns.

17. Kenneth Cardarelli had completed Plaintiff’s taxes the years prior (2013 and 2014) when Plaintiff was an employee of Northwestern Mutual.

18. When Plaintiff had contacted Kenneth Cardarelli (“Mr. Cardarelli”) in April 2016 to file an extension to file taxes, Mr. Cardarelli told Plaintiff he was unable to file an extension.

19. With the tax filing deadline approaching, Plaintiff obliged to what the CPA was telling him, even though Plaintiff knew it was incorrect and would need to amend the tax filing at a later date.

20. The tax bill Mr. Cardarelli said Plaintiff owed was much more than what was expected. Plaintiff did not believe the amount he owed to be accurate.

21. Plaintiff asked Mr. Cardarelli to file an extension but he instead told Plaintiff he could not. Then Mr. Cardarelli told Plaintiff he owed more money than he really did, while Plaintiff was under the definition of disability as defined by the Americans with Disabilities Act of 1990 and 28 CFR § 36.105.

22. Plaintiff had to ask for an advance from one of his three areas of employment, Vandegrift Lacrosse Club, to foot the incorrect tax bill.

23. Upon information and belief, Joseph Pompo was an employee of Paymaster Payroll Systems, Inc. at all times relevant to filing Plaintiff’s 2017 taxes. Thus, Joseph Pompo was representing Paymaster Payroll Systems, Inc.

24. Joseph Pompo and Plaintiff were teammates of West Genesee High School Lacrosse in 2007.

26. On or around April 2018, Plaintiff asked Joseph Pompo to file 2016 and 2017 taxes on behalf of Plaintiff and amend the incorrect filing from Kenneth Cardarelli from 2015.

27. Symptoms from the 2015 hit and run accident in Austin, Texas had progressed within Plaintiff. Plaintiff had recently received family and medical leave (“FMLA”) from employment at Charles Schwab in Austin, TX on or around December 2017. Appointments continued into 2018 (Exhibit B).
28. Thus, at all times relevant to this lawsuit, Plaintiff was disabled under the definitions provided in the Americans with Disabilities Act of 1990 and 28 CFR § 36.105.
29. Joseph Pompo, representing Paymaster Payroll Systems, Inc. did not complete Plaintiff’s 2016 tax return or amend the incorrect 2015 tax return filed by Kenneth Cardarelli as initially agreed upon.
30. Instead, Joseph Pompo filed for 2017 only, muddying up Plaintiff’s tax returns further and inflaming mental health symptoms in Plaintiff.
31. In other words, Plaintiff reached out to a high school teammate for assistance. Instead of receiving assistance, while under the definition of disability, his requests to file a 2016 tax return and amend the 2015 tax return were ignored by Joseph Pompo and Plaintiff was left with more confusion than any solutions he sought.
32. Joseph Pompo also told Plaintiff on or around April 2018 that a letter was written on his behalf to the Internal Revenue Service (“IRS”).
33. Plaintiff did not receive a copy of any letter from Joseph Pompo and later requests for a copy of the letter supposedly written and sent by Joseph Pompo went incomplete.
34. On or around March 2021, Plaintiff revisited the 2017 tax return and letter supposedly submitted to the IRS by Joseph Pompo on Plaintiff’s behalf in April 2018.
35. Plaintiff has never been able to reconcile the mistakes made by Joseph Pompo and Kenneth Cardarelli, while Plaintiff was under the definition of disability.

36. Part of the reason has been missing information. For example, in March 2021 when Plaintiff contacted Joseph Pompo over the April 2018 letter sent on Plaintiff's behalf, Joseph Pompo informed Plaintiff that all of the related files had been seized during an investigation.
37. The investigation was over Joseph Pompo's involvement in an accusation over stealing over \$1 million dollars from a car dealership he was employed to, Fuccillo Automotivate Group (<https://www.syracuse.com/crime/2021/03/how-police-say-31-year-old-syracuse-accountant-stole-1-million-from-fuccillo-dealerships.html>).
38. Joseph Pompo eventually entered what's known as an Alford plea, in which someone pleads guilty, but is not admitting to a crime.

IV. CLAIMS

39. Tex. Civ. Prac. & Rem. Code § 16.001(b) states:

“[i]f a person entitled to bring a personal action is under a legal disability when the cause of action accrues, the time of the disability is not included in a limitations period.”

40. 28 CFR § 36.201(a) states:

“[n]o individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any private entity who owns, leases (or leases to), or operates a place of public accommodation.”

41. 28 CFR § 36.105 defines disability as:

Disability means, with respect to an individual:

- (i) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- (ii) A record of such an impairment; or
- (iii) Being regarded as having such an impairment as described in paragraph (f) of this section.

42. 28 CFR § 36.104 defines a place of public accommodation as:

Place of public accommodation means a **facility** operated by a **private entity** whose operations affect **commerce** and fall within at least one of the following categories—

(6) A laundromat, dry-cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, gas station, office of an accountant or lawyer, pharmacy, insurance office, professional office of a health care provider, hospital, or other service establishment;

CLAIM I - AMERICANS WITH DISABILITIES ACT OF 1990, 28 CFR § 36.201
Against Paymaster Payroll Systems, Inc. and Joseph Pompo

43. Plaintiff hereby incorporates all preceding paragraphs as if fully stated herein and alleges as follows.

44. Upon information and belief, at all times relevant, Joseph Pompo was employed and represented Paymaster Payroll Systems, Inc.

45. Upon information and belief, at all times relevant, Joseph Pompo was a certified public accountant offering tax filing services while employed to Paymaster Payroll Systems, Inc.

46. Thus, Paymaster Payroll Systems, Inc. operates a place of public accommodation.

47. When Plaintiff asked Joseph Pompo to complete his 2017 and 2016 tax returns and amend the 2015 tax returns, Joseph Pompo agreed to do so.

48. Joseph Pompo also stated that a letter was sent to the IRS on Plaintiff's behalf.

49. At all times relevant, Plaintiff was disabled as defined by the Americans with Disabilities Act of 1990 and 28 CFR § 36.201.

50. Due to the severe wrist, hand, and finger injuries and 2015 hit and run accident, Plaintiff's major life activities were disputed due to the mental impairments associated with the symptoms that Plaintiff possessed when Joseph Pompo completed his 2017 tax returns while ignoring the requests to complete 2016 and amend the 2015 tax return filed by Kenneth Cardarelli.

51. Plaintiff exhibited difficulties learning, reading, concentrating, thinking, writing, communicating, interacting with others, and working. There was an obvious before and after regarding both the wrist, hand and finger injury and 2015 hit and run accident. Plaintiff's daily living was impacted by both occasions and the subsequent symptoms.
52. If Joseph Pompo did not want to assist Plaintiff with filing his tax returns, he could have stated such. Joseph Pompo agreed to file 2017 and 2016 tax returns and amend 2015 tax returns for Plaintiff.
53. Instead, Joseph Pompo thought that he would be able to take advantage of Plaintiff's disability without consequence.
54. It was agreed upon between Plaintiff and Joseph Pompo to file 2017 and 2016 tax returns and amend the 2015 tax return filed by Kenneth Cardarelli.
55. When Joseph Pompo only filed the 2017 taxes, despite the oral agreement to also file a 2016 tax return and amend the 2015 taxes, Plaintiff was denied the full and equal enjoyment of services offered by certified public accountants, such as Joseph Pompo representing Paymaster Payroll Systems, Inc.
56. By not filing the 2016 tax return or amending the faulty 2015 tax return filed by Kenneth Cardarelli, Joseph Pompo did not complete the services he agreed to perform.
57. Plaintiff was injured as a result of being denied the full and equal enjoyment of services offered by Defendant's Paymaster Payroll Systems, Inc. and Joseph Pompo.
58. Joseph Pompo believed that, due to Plaintiff's disability, Plaintiff would be unable to take any recourse to any wrongdoing he performed.
59. In other words, Joseph Pompo denied Plaintiff services based on his disability and the perception he would be able to take advantage of Plaintiff's impairments.

60. Plaintiff's taxes were made into a mess by Joseph Pompo, against what was agreed upon initially, injuring Plaintiff mentally and financially.
61. If Joseph Pompo sent a letter to the IRS on Plaintiff's behalf, as he stated to Plaintiff, there has been no evidence of such letter being sent or a copy provided to Plaintiff.
62. On or around January 10, 2024, Plaintiff once again contacted Joseph Pompo in an attempt to understand what happened with the filing of the 2017 taxes and the letter that was supposedly sent on Plaintiff's behalf.
63. Joseph Pompo responded to Plaintiff's, a former client, request for records by saying "only if you dedicate a rant to me" (Exhibit C) This is another example of Joseph Pompo's lack of professionalism and shows Joseph Pompo mocking Plaintiff, instead of completing the request of a former client. Again, Joe Pompo has stated he does not have Plaintiffs records because they were seized after he was accused of stealing over \$1 million dollars.
64. By not completing the request of a former client and instead mocking him, Plaintiff was again denied services based on disability.
65. Plaintiff is unsure if Joseph Pompo sent a letter on Plaintiff's behalf in April 2018 and the IRS is currently investigating the matter.
66. Plaintiff suffered emotional distress as a result of the discrimination based on disability of Paymaster Payroll Services, Inc. and Joseph Pompo.
67. Plaintiff suffered monetary injuries as a result of the discrimination based on disability of Paymaster Payroll Services, Inc. and Joseph Pompo.
68. Plaintiff was a resident in Texas from approximately 2015 until 2022.
69. Plaintiff was officially diagnosed with ADHD on or around January 2022.
70. Plaintiff was officially diagnosed with PTSD on or around May 2023.

71. Plaintiff requests all relief and damages he may be entitled.

CLAIM II- AMERICANS WITH DISABILITIES ACT OF 1990, 28 CFR § 36.201
Against Kenneth Cardarelli

72. Plaintiff hereby incorporates all preceding paragraphs as if fully stated herein and alleges as follows.

73. Upon information and belief, Kenneth Cardarelli operated a sole proprietorship offering tax filing services at all times relevant to this lawsuit.

74. Thus, Kenneth Cardarelli as a sole proprietor offering accountant services was operating a place of public accommodation at all times relevant.

75. Plaintiff was diagnosed with a concussion after the hit and run accident in Austin, TX on or around April 2015.

76. After the hit and run accident in 2015 that left Plaintiff concussed, Plaintiff exhibited difficulties learning, reading, concentrating, thinking, writing, communicating, interacting with others, and working.

77. Plaintiff also experienced increased symptoms of PTSD and ADHD. For example, Plaintiff experienced flashbacks and difficulties concentrating due to intrusive thoughts of the accident. Also, with difficulties concentrating, procrastination became an issue as major life activities were disrupted by Plaintiff's injury.

78. Plaintiff's increase in ADHD and PTSD symptoms from the 2015 hit and run accident have never fully subsided.

79. "While a temporary impairment can be covered if it is sufficiently severe," *Veldran v. Dejoy*, No. 19-CV-4010, 2020 WL 8084880, at *2 (2d Cir. Jan. 13, 2020).

80. Thus the concussion Plaintiff received in 2015 qualifies Plaintiff as having a disability as the temporary impairment has developed into a severe decade long change in Plaintiff's daily

living.

81. This temporary impairment became more aggravated when Kenneth Cardarelli elected to take advantage of Plaintiff's impairment instead of offering the full and equal enjoyment of services provided by a certified public accountant.
82. Plaintiff, admittedly, waited until the last days of the filing deadline to file an extension for filing 2015 taxes.
83. Procrastination is a symptom of the impairments Plaintiff was experiencing as a result of the concussion only five (5) months prior that had been exacerbated by Austin Police Department failing to properly follow up and offer updates.
84. When Plaintiff asked Kenneth Cardarelli to file an extension on the last days of the filing deadline in April 2016, Kenneth Cardarelli stated that an extension could not be filed.
85. Even though Plaintiff knew this was incorrect, Plaintiff knew he could amend the tax filing at a later date and filed what Kenneth Cardarelli said he owed.
86. By not filing the extension as Plaintiff requested, Plaintiff was denied the full and equal enjoyment of services provided by a certified public accountant such as Kenneth Cardarelli.
87. Plaintiff was denied access to this enjoyment of services because of his impairments and disability.
88. Kenneth Cardarelli denied Plaintiff the ability to file an extension because he thought he could take advantage of Plaintiff due to his impairments and disabilities.
89. Thus, Kenneth Cardarelli discriminated against Plaintiff on the basis of disability when he did not offer the full and equal enjoyment of services provided. If Kenneth Cardarelli was offering Plaintiff the full and equal enjoyment of services, he would have filed an extension to file a tax return so Plaintiff would not be injured. This is not what Kenneth Cardarelli did.

90. Plaintiff suffered emotional distress as a result of the discrimination based on disability of Kenneth Cardarelli.

91. Plaintiff suffered monetary injuries as a result of the discrimination based on disability of Kenneth Cardarelli.

92. Plaintiff requests all relief and damages he may be entitled.

V. DAMAGES

93. Plaintiff suffered and claims the following damages:

Actual Damages

- Past and future mental anguish
- Past and future impairment
- Past and future medical expenses
- Past and future loss of earning capacity
- Past and future physical suffering
- Past and future financial damages

VI. JURY DEMAND

94. Plaintiff respectfully requests jury trial pursuant to FED. R. CIV. P. 48

VII. PRAYER FOR RELIEF

95. Accordingly, Plaintiff requests that judgment be awarded against Paymaster Payroll Systems, Inc., Joseph Pompo and Kenneth Cardarelli for:

- (1) Compensatory damages;
- (2) Punitive or exemplary damages;
- (3) Costs of Court;
- (4) Prejudgment and postjudgment interest at the highest rate allowable under law;
- (5) Unliquidated damages at the highest amount that is within the jurisdictional limits of the court;

(6) And all over relief to which Plaintiff is justly entitled.

Respectfully submitted,

/s/Scott Phillip Lewis

Scott Phillip Lewis

1936 Saranac Ave. #3, PMB 411

Lake Placid, NY 12946

518-551-3061

scottphillplewis@gmail.com

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF NEW
YORK

SCOTT PHILLIP LEWIS,
Plaintiff,

v.

Paymaster Payroll Systems, Inc.;
Joseph Pompo; Kenneth Cardarelli
Defendant.

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Jury Trial Demanded

EXHIBIT A

Open records request with Austin Police Department that
remains incomplete from the hit and run accident that left
Plaintiff concussed in November 2015

Austin City Hall

301 W. 2nd St.
4th Floor
Austin, TX 78701

**Customer Service For City of Austin
Open Records**

PIRCustomerService@austintexas.gov
512 - 974 - 2197

**Customer Service For City of Austin
Police Department Open Records**

512 - 974 - 5212
512 - 974 - 5499

[View File\(s\)](#)[Details](#)

Austin Police Department 2 months ago

[R117687-110223](#)

Completed

Please provide all employee records for Sheila Matlock, AP 3609. Thank you in advance. Sincerely,
Scott Phillip Lewis
Status : Full Release

[Scott Lewis](#)

[View File\(s\)](#)[Details](#)

Austin Police Department 2 months ago

[R117686-110223](#)

In Progress

In police report GO#2015-3120208, the report states "A VICTIM'S LETTER WAS MAILED OUT. THIS CASE IS NOW SUSPENDED PENDING UNTIL FURTHER CONTACT FROM THE VICTIM WITH THE ADDITIONAL INFORMATION REQUESTED." I was the victim in this accident. I was not notified by anybody despite following up with Austin Police Department about this investigation in the hit and run accident. I am requesting a copy of the victim's letter that was mailed out by Sheila Matlock, AP 3609. Thank you. Sincerely, Scott Phillip Lewis
Status : Processing

[Scott Lewis](#)

[Details](#)

Austin Police Department 6 months ago

[R109967-072023](#)

Completed

Please provide witness reports and names of the accident 20153120208.
Status : Duplicate request

[Scott Lewis](#)

[Details](#)

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF NEW
YORK

SCOTT PHILLIP LEWIS,
Plaintiff,

v.

Paymaster Payroll Systems, Inc.;
Joseph Pompo; Kenneth Cardarelli
Defendant.

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Jury Trial Demanded

EXHIBIT B

Appointments regarding an FMLA leave from early 2018
confirming Plaintiff's disability before Joseph Pompo
rendered the discriminatory services he provided



2525 Wallingwood Drive
Building 12
Austin, TX 78746

Re: Scott Lewis
DOB: 12/22/1989

To whom it concerns,

Mr. Lewis has begun mental health counseling today, 2/8/2018 and has booked sessions once a week Mondays at 4 pm for the next 12 weeks beginning 2/12/2018.

Sincerely,

Emily Forsythe, MA, LPC- Intern
License # 74351
Issued: 6/2015 Expires: 6/2020
Supervised by Heather McPherson, LPC-S, CST
Respark Therapy

**UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF NEW
YORK**

SCOTT PHILLIP LEWIS,
Plaintiff,

v.

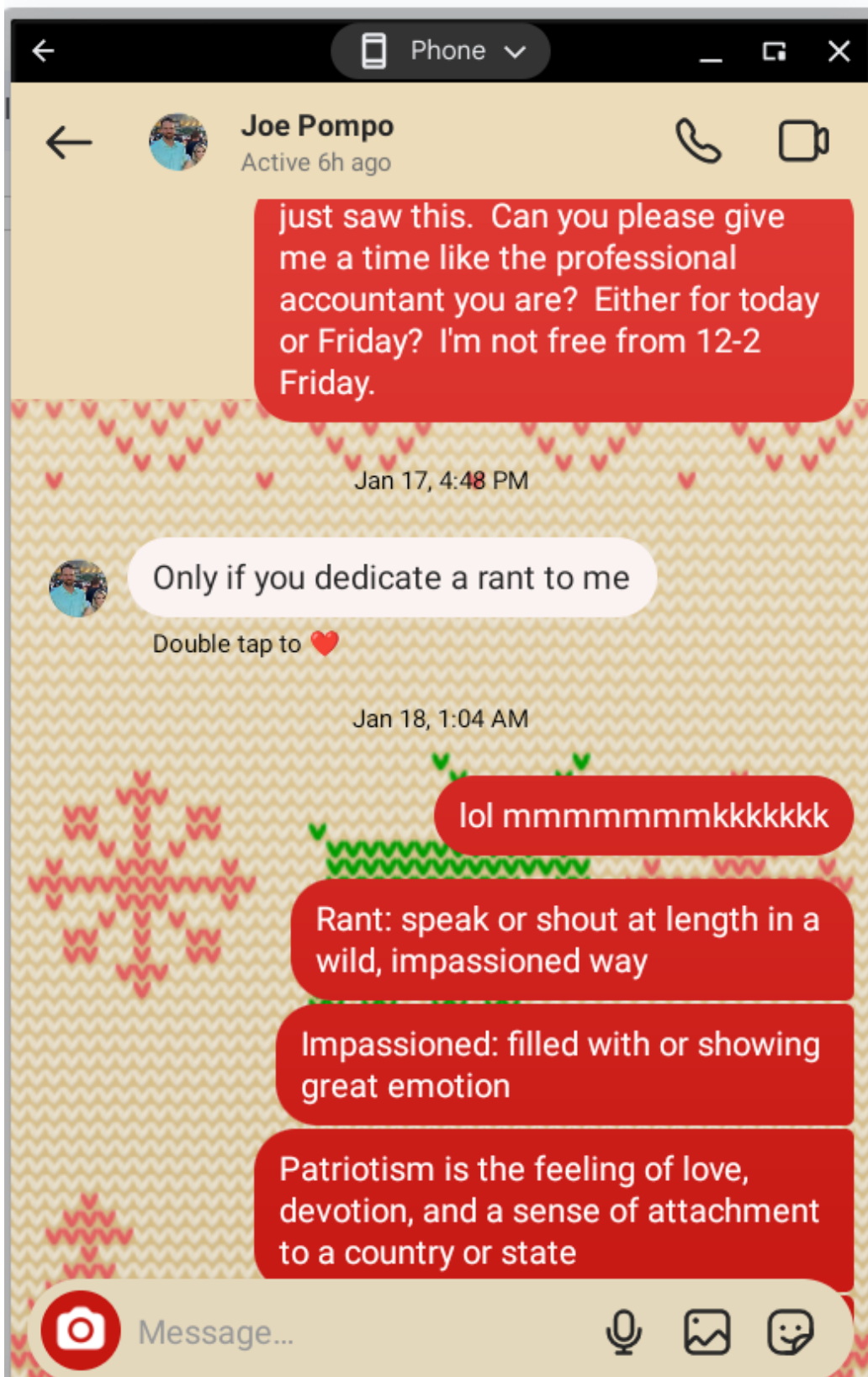
Paymaster Payroll Systems, Inc.;
Joseph Pompo; Kenneth Cardarelli
Defendant.

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Jury Trial Demanded

EXHIBIT C

Instagram message with Joseph Pompo after Plaintiff
continues to seek records from the 2017 tax return filed by
Joseph Pompo



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

Scott Phillip Lewis

(b) County of Residence of First Listed Plaintiff _____

(EXCEPT IN U.S. PLAINTIFF CASES)

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

DEFENDANTS

Paymaster Payroll Systems, Inc.; Joseph Pompo; Kenneth Cardarelli

County of Residence of First Listed Defendant _____

(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known) _____

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

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

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

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" 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 checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <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 IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 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 (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<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 type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <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	CIVIL RIGHTS <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 PRISONER PETITIONS 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			

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 ACTIONCite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 CFR § 36.20

Brief description of cause: _____

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 _____

SIGNATURE OF ATTORNEY OF RECORD _____

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP Yes _____ JUDGE MAD _____ MAG. JUDGE _____ DJS _____