

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

KEVIN AND KRISTINA JEROME

CIVIL ACTION: _____

VERSUS

JUDGE _____

**RAPIDES PARISH POLICY JURY,
RAPIDES FIRE DISTRICT # 4,
and CHIEF BRITT BOLEN**

MAGISTRATE JUDGE _____

COMPLAINT

Plaintiffs, Kevin and Kristina Jerome (hereinafter, “Kevin,” “Kristina,” & “Jeromes”), through undersigned counsel, for her complaint against Defendants, Rapides Parish Police Jury (hereinafter, Police Jury”), Rapides Fire District # 4 (hereinafter, “Fire District”), and Chief Britt Bolen (hereinafter, “Bolen”), allege as follows:

PARTIES

1.

Kevin is of the full age of majority and maintains a primary residence in Lafayette Parish, Louisiana, and is a citizen of the State of Louisiana within the meaning of and intent of 28 U.S.C. §1332.

2.

Kristina is of the full age of majority and maintains a primary residence in Lafayette Parish, Louisiana, and is a citizen of the State of Louisiana within the meaning of and intent of 28 U.S.C. §1332.

3.

Named Defendant herein is Rapides Parish Police Jury, a political subdivision of the State of Louisiana, organized and existing under the laws of the State of Louisiana, with its principle place of business in the State of Louisiana and is a citizen of the State of Louisiana within the meaning of and

intent of 28 U.S.C. §1332. Police Jury may be served pursuant to Rule 4 of the Federal Rules of Civil Procedure through its President, Craig Smith, 701 Murray Street, Ste. 201, Alexandria, Louisiana 71301

4.

Named Defendant herein is Rapides Parish Fire District # 4, a political subdivision of the Parish of Rapides, State of Louisiana, organized and existing under the laws of the State of Louisiana, with its principle place of business in the State of Louisiana and is a citizen of the State of Louisiana within the meaning of and intent of 28 U.S.C. §1332. Police Jury may be served pursuant to Rule 4 of the Federal Rules of Civil Procedure at Holiday Village, 5400 Highway 28 East, Pineville, Louisiana 71360.

5.

Bolen is of the full age of majority and maintains a primary residence in Rapides Parish, Louisiana, and is a citizen of the State of Louisiana within the meaning of and intent of 28 U.S.C. §1332 and may be served at Rapides Fire District # 4, Holiday Village Station, 5400 Highway 28 East, Pineville, Louisiana 71360.

JURISDICTION AND VENUE

6.

This action arises under the Americans with Disabilities Act (ADA), 42 U.S.C. §12101, et seq. This Court has jurisdiction over this case pursuant to 28 U.S.C. §1331, in that the action arises under the laws of the United States. This Court has jurisdiction under the provisions of 42 U.S.C. §12117. Further, Plaintiff also pleads that this action arises under the Fourth and Fourteenth Amendments to the Constitution for lack of substantive and/or procedural due process.

7.

The venue of this action is properly placed in the Western District of Louisiana pursuant to 28 U.S.C. §1391 because the facts giving rise to plaintiff's claim occurred in this district.

FACTS & ALLEGATIONS

8.

At all pertinent times herein, Jerome was/is employed by the Police Jury and the Fire District as a firefighter.

9.

Kevin had been feeling sick prior to August 28, 2020, when Kevin was sent home due to his medical condition. Fire District has an unwritten policy that discourages “call in” sick or requests to go home.

10.

The following day, Kevin was hospitalized at Our Lady of Lourdes Hospital with both COVID-19 and pneumonia and he spent the following week hospitalized.

11.

No visitors were allowed to visit Kevin at the hospital, including his wife, Kristina.

12.

On or about August 30, 2020, Bolen appeared on the doorstep of Kristina and accused Kevin of faking the illness., among other allegations. Bolen was aggrieved in part because Kevin himself, who was hospitalized with pneumonia and coronavirus, had not called in sick, even though Kristina had telephoned the fire house and informed the fire house of Kevin’s condition and whereabouts.

13.

On the same date, Bolen appeared at Our Lady of Lourdes for the purpose of visiting Kevin. Bolen was not permitted to see Kevin due to the hospital’s quarantine rules.

14.

Bolen, who has shown animus to Jerome in the past, did not believe that Kevin had the coronavirus and to this date, does not believe that Kevin had coronavirus.

15.

Police Jury and Fire District require physician's documentation to return to work from injury and/or illness.

16.

Kevin provided a letter dated September 10, 2020, from Dr. Michael Vanderlick regarding Kevin's hospitalization at Our Lady of Lourdes Hospital. Said letter also notes a September 14, 2020, appointment of Mr. Jerome.

17.

Kevin further provided a letter dated September 14, 2020 from Dr. Rebecca Curran, stating that Mr. Jerome "***was hospitalized with coronavirus from 8/29/20 to 9/7/20.*** He was acutely ill at the time of the hospitalization and would not have been capable of reporting to work or even calling in to cancel his shift due to the severity of his illness when he showed up to the hospital." [Emphasis added.]

18.

Despite the letters, Fire District and Police Jury required Kevin to complete a Physician's Certificate which required the disclosure his medical records.

19.

Dr. Curran took the form and wrote that Kevin had "coronavirus/pneumonia" and a "history of coronavirus pneumonia."

21.

Dr. Curran also wrote in the Physician's Certificate, "now recovered" and checked the box for "Full Duty—Date of Return 10-3-20." The form was blacked out at Dr. Curran's insistence and direction by Kevin. The modified form was returned to Fire District on or about September 24, 2020.

22.

Dr. Curran also wrote the following in a separate letter dated September 24, 2020:

“I understand that you are requesting a coronavirus negative test. Please note that CDC guidelines are that patients return to work after 10 days from their positive test as long as symptoms are improving and they have no immune system problems, which Mr. Jerome does not.

Test kits are in shortage at the moment and I request that you reconsider your negative testing requirement as this does not impact Mr. Jerome’s fitness for work and would potentially take a test away from a patient who needs it.”

23.

Kevin attempted to return to work on or about October 3, 2020.

24.

Kevin was not permitted to return to work because he had not completed the entirety of the Form.

25.

Kevin informed Bolen that to complete the form would be a violation of his rights, specifically the patient/health care provider privilege and the Health Insurance Portability and Accountability Act (HIPAA) and that Bolen had sufficient documentation in order to reinstate me.

26.

Instead, Kevin was placed on administrative leave with the requirement of completing the form, even though he protested that it was improper/illegal for the Fire District to acquire my medical records (through a form which was not HIPAA compliant).

27.

Kevin was eventually suspended without pay, with said suspension running until January 30, 2021.

28.

In a letter dated January 27, 2021, Fire District added the additional condition as follows:

Kevin Jerome's suspension ends on **January 30, 2021**, and he may return to work **CONDITIONED** upon him submitting the **ORIGINAL copy of the Physicians Certificate** certifying his ability to return to work and completed by his treating physician—with no deleted or marked out sections of the form.

29.

At that point, Fire District and Police Jury changed the terms and conditions of Kevin's employment (i.e., he could not return to work without the unredacted Physician's Certificate).

30.

Bolen placed Jerome back on the schedule, even though he knew that the condition of reinstatement had not been completed. Specifically, Bolen placed Jerome back on the schedule for January 31, and February 1, 6, and 7.

31.

Bolen never contacted Jerome to inform him that he was on the schedule. Further, upon information and belief, Bolen also required that no other firefighter contact Kevin to inform him that he had been placed on the schedule.

32.

By letter dated February 11, 2021, Mr. Jerome was again placed on administrative leave pending further investigation by the Fire District and Police Jury. The letter states, "You will be informed of the results of the investigation; you will be warranted to report upon callback to discuss the actions of disciplinary measures if any are found warranted."

33.

Bolen continued to place Jerome on the schedule despite knowing that Kevin had been placed on administrative leave. Bolen further failed to inform Kevin that he was being placed on the schedule.

Further, upon information and belief, Bolen also required that no other firefighter contact Kevin to inform him that he had been placed on the schedule.

34.

With the letter of February 11, 2021, under the civil service rules, Kevin could not be absent without leave; he was already classified as on Administrative Leave without Absence.

35.

Fire District and Police Jury are prohibited from placing Mr. Jerome on Administrative Leave of Absence and then holding him responsible for a failure to report for any day thereafter.

36.

Kevin's physician, Dr. Curran, refused to complete the form until February 11, 2021.

37.

However, as a condition of completing the form, Dr. Curran informed Kevin that he was prohibited from executing the form.

38.

Dr. Curran stated that she would fire Mr. Jerome as a patient if he executed the form. Left between a choice of satisfying his physician and the law regarding HIPAA or satisfying his employer's request for an impermissible act, Mr. Jerome never executed the Physician's Certificate.

39.

The unsigned Physician's Certificate was delivered to Rapides Fire District # 4 on or about February 24, 2021.

40.

Dr. Curran will not permit the use of an improper HIPAA form to be the basis to release records and the completion of the form in total will cause her to terminate me as a patient. Further,

because the Fire District is requiring Kevin's medical records, Fire District and Police Jury perceive Kervin as disabled and unable to complete the job duties of a fireman.

41.

Via letter dated March 22, 2021, Bolen recommended that Kevin be terminated from his employment as firefighter as a result of the suspension.

42.

Via letter dated May 4, 2021, Police Jury imposed discipline upon Kevin for his failure to return to work.

43.

Kevin appealed the decision of the Police Jury and Fire Department.

44.

A hearing occurred on July 14, 2021, in front of the Fire District Appeals Board. There is no recording of the appeal hearing.

45.

Via Letter dated August 4, 2021, The Fire District Civil Service Board issued its opinion on the appeal. As part of the requirement to return to work, Fire District & Police Jury are requiring that Kevin undergo a physical without any evidence of a physical injury.

46.

During the pendency of the proceedings, Kevin filed an EEOC Complaint against the Police Jury and the Fire District.

47.

On or about August 23, 2021, Kevin was issued a Right to Sue Letter from the EEOC.

48.

Kevin has exhausted the administrative remedies and any further action in an attempt to pursue this matter through other means would be futile.

COUNT I
(Violations of the Americans with Disability Act)

49.

Kevin reiterates and incorporates Paragraphs 1-48.

50.

Fire District and Police Jury perceive that Kevin has a disability and is a qualified individual with a disability.

51.

Fire District and Police Jury knew or should have known that Kevin was not a qualified individual with a disability.

52.

At all times after October 3, 2020, Kevin was able to perform the essential functions of his job without complaint.

53.

If permitted, Kevin was able to maintain a regular work schedule with predictable attendance while employed at Fire District.

54.

The requirements placed on Kevin were arbitrary and capricious and were an adverse employment decision against Kevin.

55.

Fire District and Police Jury are covered entities as defined by the Americans with Disabilities Act (ADA) and is therefore required to comply with the statutes and regulations pertaining to the ADA.

56.

Fire District and Police Jury have discriminated against Kevin for perceiving him to have a disability.

57.

As a result of Defendants' actions, Kevin has suffered damages in the following areas:

- a) Past, present, and future loss of earnings and fringe benefits;
- b) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- c) All other damages allowable by law, including liquidated, exemplary and punitive damages, reasonable attorneys' fees and costs of these proceedings, from the date of the filing of the EEOC Complaint.

COUNT II
(Violation of Louisiana Anti-Discrimination Laws)

58.

Kevin reiterates and incorporates Paragraphs 1-57 of this Complaint.

59.

The allegations set forth herein violate Louisiana Revised Statute 23:323 and Louisiana Revised Statute 23:332 as Fire District's and Police Jury's actions constitute discriminatory actions.

60.

Louisiana Revised Statute 23:303 permits civil suits on the basis of discrimination to be filed as civil actions.

61.

As a result of Defendants' actions, Plaintiff, Kevin, has suffered damages in the following areas:

- a) Past, present, and future loss of earnings and fringe benefits;
- b) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- c) All other damages allowable by law, including liquidated, exemplary and punitive damages, reasonable attorneys' fees and costs of these proceedings, from the date of the filing of the EEOC Complaint.

**COUNT III
(Louisiana Whistleblower Claim)**

62.

Kevin reiterates and incorporates Paragraphs 1-61 of this Complaint.

63.

Kevin reported acts that were in violation of state and/or federal law, i.e. the request for medical records, the use of a non-compliant HIPAA form, and the unauthorized attempt to obtain medical records unrelated to the illness. No adverse action has been taken against any person involved in this matter for Fire District and/or Police Jury. Said acts were reported to Bolen as well as Police Jury and Fire District.

64.

The actions of Police Jury and Fire District further violate Louisiana Revised Statute 23:967.

65.

As a result of Defendants' actions, Plaintiff have suffered damages in the following areas:

- a) Past, present, and future loss of earnings and fringe benefits;

- b) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- c) All other damages allowable by law, including treble damages, reasonable attorneys' fees and costs of these proceedings, from the date of the filing of the EEOC Complaint.

**COUNT IV
(Anti-Retaliation)**

66.

Kevin reiterates and incorporates Paragraphs 1-65 of this Complaint into this Count.

67.

Kevin asserts that Fire District and Police Jury's actions were retaliatory in nature and were specific to his complaints regarding the search and scope of obtaining medical records.

68.

Kevin further asserts that Bolen, Fire District, and Police Jury specifically changed the terms and conditions of employment to Jerome via their January 27 letter.

69.

Bolen further placed Kevin on the schedule and attempted to manufacture additional charges against Kevin in retaliation for non-compliance.

70.

As a result of Defendants' actions, Plaintiff have suffered damages in the following areas:

- a) Past, present, and future loss of earnings and fringe benefits;
- b) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- c) All other damages allowable by law, including liquidated, exemplary and punitive damages, reasonable attorneys' fees and costs of these proceedings, from the date of the filing of the EEOC Complaint.

COUNT V
(Louisiana Anti-Retaliation Claim)

71.

Kevin reiterates and incorporates Paragraphs 1-70 of this Complaint.

72.

Out of an abundance of caution and with a reservation of right to dismiss this claim if no such law exists under the current statutory scheme, Kevin asserts a retaliation claim against Defendants pursuant to Title 23 and Title 51 of the Louisiana Revised Statutes.

73.

Plaintiff requests all damages set forth in Paragraph 70 of the Complaint to the extent that the law allows.

COUNT VI
(Violation of Federal Substantive Due Process)

74.

Kevin reiterates and incorporates Paragraphs 1-73 of this Complaint.

75.

The actions of Defendants, Bolen, Police Jury, and Fire District, constitute a violation of substantive due process pursuant to the Fourth and Fourteenth Amendment to the United States Constitution.

76.

As a result of Defendants' actions, Plaintiff have suffered damages in the following areas:

- d) Past, present, and future loss of earnings and fringe benefits;
- e) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- f) All other damages allowable by law, including liquidated, exemplary and punitive damages, reasonable attorneys' fees and costs of these proceedings, from the date of the filing of the EEOC Complaint.

COUNT VII
(Violation of State Substantive Due Process)

77.

Kevin reiterates and incorporates Paragraphs 1-76 of this Complaint.

78.

The actions of Defendants, Bolen, Police Jury, and Fire District, constitute a violation of substantive due process pursuant to the Louisiana Constitution.

79.

As a result of Defendants' actions, Plaintiff have suffered damages in the following areas:

- a) Past, present, and future loss of earnings and fringe benefits;
- b) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- c) All other damages allowable by law, including liquidated, exemplary and punitive damages, reasonable attorneys' fees and costs of these proceedings, from the date of the filing of the EEOC Complaint.

COUNT VIII
(Violation of Federal Procedural Due Process)

80.

Kevin reiterates and incorporates Paragraphs 1-79 of this Complaint.

81.

The actions of Defendants, Bolen, Police Jury, and Fire District, constitute a violation of procedural due process pursuant to the Fourth and Fourteenth Amendment to the United States Constitution.

82.

As a result of Defendants' actions, Plaintiff have suffered damages in the following areas:

- a) Past, present, and future loss of earnings and fringe benefits;

- b) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- c) All other damages allowable by law, including liquidated, exemplary and punitive damages, reasonable attorneys' fees and costs of these proceedings, from the date of the filing of the EEOC Complaint.

COUNT IX
(Violation of State Procedural Due Process)

83.

Kevin reiterates and incorporates Paragraphs 1-82 of this Complaint.

84.

The actions of Defendants, Bolen, Police Jury, and Fire District, constitute a violation of procedural due process pursuant to the Fourth and Fourteenth Amendment to the United States Constitution.

85.

As a result of Defendants' actions, Plaintiff have suffered damages in the following areas:

- a) Past, present, and future loss of earnings and fringe benefits;
- b) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- c) All other damages allowable by law, including liquidated, exemplary and punitive damages, reasonable attorneys' fees and costs of these proceedings, from the date of the filing of the EEOC Complaint

COUNT X
(Hostile Work Environment)

86.

Kevin reiterates and realleges Paragraphs 1-85 of this Complaint.

87.

Plaintiff was subjected to Bolen's hostile actions which created a work environment to which Kevin was unable to return by his choice.

88.

Further, Kevin's superiors were involved in a conspiracy to ensure that Kevin did not return to work in the aftermath of his hospitalization.

89.

As such, Kevin was subjected to a hostile work environment.

90.

As a result of Defendant's actions, Plaintiff have suffered damages in the following areas:

- a) Past, present, and future loss of earnings and fringe benefits;
- b) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- c) All other damages allowable by law, including treble damages, reasonable attorneys' fees and costs of these proceedings, from the date of the filing of the EEOC Complaint.

COUNT XI
(Negligent Supervision)

91.

Kevin reiterates and realleges Paragraphs 1-____ of this Complaint.

92.

Fire District and Police Jury had a duty to supervise Bolen and prevent Bolen from conduct adverse to the interest of Kevin.

93.

Police Jury and Fire District breached its duties to its employees in employing Bolen, a person with a temper and a person who has a vindictive streak, hostile to Kevin.

94.

It is within the scope of the risk that an employee such as Bolen, a person who would resort to an attempt to make illegal requirements upon firefighters, that a fellow employee would be injured as a result of that action.

95.

Bolen's actions were in the course and scope of his employment with Fire District and Police Jury.

96.

The actions of Fire District and Police Jury caused the injuries alleged by Plaintiff, Kevin.

97.

As a result of Defendants' actions, Plaintiff, Kevin, has suffered damages in the following areas:

- a) Past, present, and future loss of earnings and fringe benefits;
- b) Mental anguish, anxiety, humiliation, embarrassment, and inconvenience (past, present, and future);
- c) All other damages allowable by law.

98.

Plaintiff, Kristina, has a right of action for loss of consortium as a result of the actions of Police Jury, Fire District, and Bolen.

WHEREFORE, Plaintiffs, Kevin and Kristina Jerome, pray that after due proceedings:

- 1) That Summons and Citation be issued against Defendants, Rapides Parish Police Jury, Rapides Fire District # 4, and Britt Bolen;
- 2) That judgment be rendered in favor of Plaintiffs, Kevin and Kristina Jerome, and against Defendants, Rapides Parish Police Jury, Rapides Fire District # 4, and Britt Bolen, and prays that this Court plaintiff back wages, statutory liquidated damages, and such other monetary award as may be deemed appropriate in amounts to be determined at a trial of this matter;

- 3) That Judgment be rendered in favor of Plaintiffs, Kevin and Kristina Jerome, and against Defendants, Rapides Parish Police Jury, Rapides Fire District # 4, and Britt Bolen, for all costs, reasonable attorneys' fees, interest (both pre-judgment and post-judgment as allowed by law), and expert witness fees as allowed by law be granted to Plaintiff;
- 4) For all other just and equitable relief.

Respectfully submitted,

/s/ Jeremy Cedars

Jeremy Cedars (#27992)

Fine Legal Services, LLC

4615 Parliament Drive, Ste. 202

Alexandria, Louisiana 71303

Telephone: (318) 767-2226

Attorney for Plaintiffs, Kevin and Kristina Jerome

JS 44 (Rev. 04/21)

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 Kevin and Kristina Jerome

DEFENDANTS Rapides Parish Police Jury, Rapides Fire District #4, Chief Buttt Bolen

(b) County of Residence of First Listed Plaintiff Lafayette
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Rapides
(IN U.S. PLAINTIFF CASES ONLY)

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
Jeremy Cedus Fine Legal Services, LLC
4615 Parliament Dr. Ste 202 (318) 767-2226
Alexandria LA 71303

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"/> 310 Airplane	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander		INTELLECTUAL PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	LABOR	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations		<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	SOCIAL SECURITY	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 850 Securities/Commodities/Exchange
		<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	FEDERAL TAX SUITS	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 245 Tort Product Liability	<input checked="" type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:		<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other	IMMIGRATION	
		<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 462 Naturalization Application	
		<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 465 Other Immigration Actions	
		<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 ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 USC 12101 et seq

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 30 September 2021

SIGNATURE OF ATTORNEY OF RECORD [Signature]

FOR OFFICE USE ONLY

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