

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

DWAYNE LEWIS	*	CIVIL ACTION
	*	
VERSUS	*	NO.
	*	
SEACOR MARINE LLC, SEACOR LIFTBOATS LLC, and SEMCO LLC.	*	JUDGE
	*	MAGISTRATE JUDGE
	*	

GENERAL MARITIME LAW COMPLAINT FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Dwayne Lewis (“Plaintiff”) and with respect files the following General Maritime Law Complaint for Damages:

I. PARTIES

1. Dwayne Lewis (“Plaintiff”) is a person of the full age of majority and a resident citizen of the State of Louisiana.
2. Named as parties Defendant are:
 - A. Seacor Marine LLC (“Seacor”), a foreign limited liability company, authorized to do and doing business within the jurisdiction of this Honorable Court, with its principal place of business located 5005 Railroad Avenue, Morgan City, Louisiana 70380;
 - B. Seacor Liftboats LLC (“Seacor Liftboats”), a foreign limited liability company, authorized to do and doing business within the jurisdiction of this Honorable Court, with its principal place of business located at 5005 Railroad Avenue, Morgan City, Louisiana 70380; and
 - C. Semco LLC (“Semco”), a Louisiana limited liability company authorized to do and

doing business within the jurisdiction of this Honorable Court, with its principal place of business located at 186 Jean Lafitte Blvd., Lafitte, Louisiana 70360.

II. FEDERAL SUBJECT MATTER JURISDICTION

3. Subject matter jurisdiction is vested in this Honorable Court pursuant to 28 U.S.C. § 1333, more commonly known as “admiralty and maritime jurisdiction.”

III. PERSONAL JURISDICTION

4. Seacor, Seacor Liftboats, and Semco, on a continuous basis, engaged in business and commerce within the Eastern District of Louisiana. All are subject to the general personal jurisdiction of this Honorable Court, and each has been or will have been served with Summons and a copy of the Complaint for Damages in accordance with Fed. R. Civ. P. 4(h)(1).

IV. VENUE

5. Venue is conferred by 28 U.S.C. § 1391(a)(2), because the Eastern District of Louisiana is the judicial district in which a substantial part of the events or omissions giving rise to the claim occurred.

V. FACTS

6. On Tuesday, April 13, 2021, Dwayne Lewis, was an independent consultant contracted to Chalmers, Collins & Alwell, which in turn was contracted to Talos Energy, LLC (“Talos”). Plaintiff was enroute to supervise well site cement pumping operations on Talos’ Main Pass 10-138 fixed platform near the mouth of the Mississippi River.
7. The SEACOR POWER, which was to transport Plaintiff to the fixed platform, was then a vessel in navigation and commerce upon the waters of the Eastern District of Louisiana.

Upon information and belief, the vessel was built by Semco, owned and operated by Seacor and/or Seacor Liftboats, and upon information and belief was time-chartered to Talos.

8. Despite numerous warnings of impending severe weather conditions developing, including strong winds and increased wave action in the Gulf of Mexico, the SEACOR POWER was directed to leave Port Fourchon by its owners and operators, Seacor and/or Seacor Liftboats. Despite this knowledge, the SEACOR POWER departed Port Fourchon at approximately 12:30 p.m.
9. On Tuesday, April 13, 2021, Plaintiff arrived at the Bollinger shipyard where the SEACOR POWER was docked, went aboard, and waited for a crew change.
10. After the crew change, an orientation meeting was held with the Captain, the crew, Plaintiff, and everyone else onboard. Relevant to the above-captioned matter:
 - A. The locations of emergency exits for the vessel were *not* discussed;
 - B. The location of life jackets, in case of emergency, was described briefly and only as “outside in boxes at a mid-ship location;”
 - C. Instructions and a demonstration on how to put on a life jacket was *not* provided; and
 - D. Instructions and a demonstration about any other lifesaving equipment that was aboard the vessel was *not* provided.
11. Once the orientation meeting was concluded, crane operations began to spot all of the equipment on the lift boat. While it was Plaintiff’s responsibility to ensure all equipment necessary for the Talos platform project has arrived and was positioned on the lift boat, it was not Plaintiff’s responsibility to determine the positioning of the equipment on the lift boat’s deck. This equipment included, *inter alia*, a complete coiled tubing unit consisting

- of a control console, a power pack, a BOP rack, a coiled tubing reel, a tool box, various rental equipment including two fluid pumps, a return tank, a gas buster, and an iron rack.
12. The equipment was spotted but not was not secured to the deck of the lift boat.
 13. Upon information and belief, Seacor and Seacor Marine received weather site specific weather information and forecast reports including severe weather and squall notifications.
 14. Once loaded and jacked down, SEACOR POWER departed Port Fourchon shortly after 12:30 o'clock p.m. Plaintiff was assigned a port-side stateroom on the third deck, and at some time after departure he went there to take a nap.
 15. At that time the seas were running approximately 2-to-3 feet, with no wind, and rain was starting. Thereafter, weather conditions drastically deteriorated, with winds rapidly increased to hurricane strength. The sea and wind conditions then exceeded the safe sea-keeping and maneuvering limits of the vessel.
 16. About 3:40 o'clock p.m., Plaintiff felt the lift boat roll over and he then jumped out of bed.
 17. The roll was around the vessel's fore and aft (i.e., longitudinal) axis so that the vertical orientation of Plaintiff's stateroom changed. The ceiling became a wall, one wall became the floor, the floor became a wall, and the other wall was became the ceiling. The wall which faced the deck area remained the "forward wall" and while its window remained accessible to Plaintiff.
 18. At this time a vessel's mate whose stateroom was directly across the hallway climbed into Plaintiff's stateroom. They determined to escape through the window, which then refused to open outward with only manual force. At that time the mate spotted a fire extinguisher which the two men took turns using for many minutes to continuously beat on the window

until it finally shattered.

19. Plaintiff was terrified, and put on a life jacket immediately after the window was broken. At that moment he noticed that the life jacket did not have a light or signaling whistle.
20. The mate donned another life jacket, told Plaintiff “we need to get out now,” and exited through the window.
21. While the surface water level was still about three-to-four feet below the window sill, the strong wave action was pushing water through the window.
22. The last thing Plaintiff wanted to do was jump into the water. When he was a child his brother had drowned and his parents had thereafter never let him near water. Consequently, Plaintiff could not swim. So, he stayed in his stateroom as long as he could, getting tossed around the room, and getting bruised and battered.
23. Around 4:00 o’clock p.m., when the outside water level reached the window sill, Plaintiff knew he had to escape from the foundering vessel. While trying to escape, a wave nearly pushed him back inside, then it sucked him down outside the vessel. When Plaintiff came back up he thought “Oh, my God what in the hell is going on here?” This was something Plaintiff never wanted to do, never even dreamed of doing, but “Here I am in this water.”
24. At the time when Plaintiff escaped through his stateroom window, the seas were running ten to twelve feet.
22. After Plaintiff escaped through the window, he felt a rope, grabbed it, and tried to hang on. There were about four or five other men - “I didn’t know who they were, or what they had on, but they were hollering at me.” Plaintiff looked to see who they were, but with the wave action pushed water in his face so he couldn't determine who they were. Eventually the rope

slipped from Plaintiff's hands and he drifted away from the vessel.

23. Plaintiff was adrift in the Gulf of Mexico, many miles offshore water, for three and a half to four hours before he was rescued. Initially, one vessel turned toward him as he waived, but then that boat stopped about 50 yards away to rescue someone else and then turned away without seeing Plaintiff.
24. Then, the crew of M/V MR. LLOYD spotted Plaintiff in the water and rescued him.
25. Plaintiff endured a harrowing near death experience and now suffers from post-traumatic stress syndrome. He fears he will never be able to work offshore again.

VI. CLAIMS UNDER THE GENERAL MARITIME LAW

26. Seacor and Seacor Liftboats were responsible under the General Maritime Law for the safe operation of the SEACOR POWER and in that regard owed a duty to Plaintiff. These Defendants were negligent in failing to carry out that duty.
27. Semco were responsible under the General Maritime Law of product liability for the safe design and construction of the SEACOR POWER and in that regard owed a duty to Plaintiff. It was negligent in failing to carry out that duty.
28. The "at sea" events which transpired on April 13, 2021 were caused solely and exclusively by the negligence and fault, and willful and wanton misconduct of Seacor and Seacor Liftboats in the following non-exclusive particulars:
 - A. Failing to use reasonable care;
 - B. Failing to adequately address the deteriorating and dangerous weather conditions in the area prior to instructing the SEACOR POWER to leave port;
 - C. Failing to follow the weather advisories and marine bulletins issued by the National

Weather Service prior to instructing the SEACOR POWER to leave port;

- D.** Failing to provide proper and adequate equipment to the captain and his fellow crew members to properly perform their duties and/or properly navigate the vessel during the deteriorating weather conditions;
 - E.** Failing to maintain the vessel and its appurtenances and/or equipment in a safe and reasonable state of repair;
 - F.** Failing to take reasonable precautions for the safety of the persons aboard the vessel;
 - G.** Failing to inspect and/or plan for potential hazards aboard the SEACOR POWER;
 - H.** Failing to perform adequate safety meetings and analyses to identify and minimize the risk to persons aboard the vessel;
 - I.** Failing to assess the wind and sea state conditions prior to dispatching the vessel from port;
 - J.** Failing to have an emergency rescue plans and/or adequate rescue appurtenances;
 - K.** Failing to adopt practices, policies, and procedures designed specifically to prevent the injuries and damages sustained by the Plaintiff; and
 - L.** Other negligent acts and/or omissions to be shown at the trial of this action.
- 29.** The other misconduct which preceded April 13, 2021 was the negligence and fault, and willful and wanton misconduct of Semco in the following non-exclusive particulars:
- A.** Failing to design the SEACOR POWER so that it would remain stable and not capsize in rough weather;
 - B.** Failing to consider the use, purpose and weather conditions the SEACOR POWER

would encounter when designing, building and equipping it;

- C. Failing to design, build and equip the SEACOR POWER so that it would not capsize when encountering sea and wind conditions expected in the Gulf of Mexico; and
- D. Such other acts of negligence and/or omissions as may be shown at the trial of this matter

VII. VICARIOUS LIABILITY

- 30. Seacor and Seacor Liftboats are vicariously liable for the actions and omissions of their employees and agents that resulted in Plaintiff's ordeal at sea.

VIII. RES IPSA LOQUITUR

- 31. Plaintiff affirmatively pleads the doctrine of *res ipsa loquitur* to the facts of the capsizing made the basis of this litigation.

IX. DAMAGES

- 32. As a consequence of the negligence and willful and wanton misconduct of the Defendants, Plaintiff asserts a claim for damages which include but are not limited to the following:
 - A. Severe past mental anguish, fear, and fright;
 - B. Past physical pain and suffering;
 - C. Future post-traumatic stress disorder and mental anguish;
 - D. Past and future economic losses; and
 - E. All other damages which may be proven at the trial of this matter or discovered prior to trial.

X. PUNITIVE DAMAGES

33. Plaintiff additionally asserts a claim for punitive or exemplary damages against Seacor and Seacor Liftboats under the General Maritime Law because:
- A. They acted with flagrant, reckless disregard for his life and safety;
 - B. Seacor and Seacor Liftboats subordinated the safety and lives of the persons aboard the SEACOR POWER to their own pursuit of money profits; and
 - C. They breached their duty to use reasonable care and prudence when ordering the SEACOR POWER to leave the dock when they were warned that rough weather beyond the vessel's safe operating limits and sea-keeping ability was approaching.
34. Plaintiff additionally asserts a claim for punitive or exemplary damages against Semco under the General Maritime Law because:
- A. It failed to design, manufacture and construct the SEACOR POWER so that it would remain stable and not capsize in rough weather and delivered it for service in that condition; and
 - B. It failed to consider the expected weather conditions the SEACOR POWER would encounter when designing, building and equipping the vessel.

XI. PRAYER FOR RELIEF

35. **WHEREFOR**, the foregoing premises considered, Dwayne Lewis prays:
- A. That Defendants, Seacor Marine LLC, Seacor Liftboats LLC, and Semco LLC be served with copies of Summons and the Complaint;
 - B. That Defendants, Seacor Marine LLC, Seacor Liftboats LLC, and Semco LLC serve their Answers thereto;

- C. That after all due proceedings had, there be a final Judgment holding Defendants, Seacor Marine LLC, Seacor Liftboats LLC, and Semco LLC liable to the Plaintiff in money damages reasonable under these premises;
- D. That after all due proceedings had, there be a final Judgment holding Defendants, Seacor Marine LLC, Seacor Liftboats LLC, and Semco LLC liable to the Plaintiff in punitive damages reasonable under these premises;
- E. For an award of legal interest from the date of judicial demand until all damages awarded are fully paid;
- F. For an award of all costs allowed by Fed. R. Civ. P. 54(b) and 28 U.S.C. § 1920; and
- G. For all general and equitable relief to which Plaintiff may be entitled.

Respectfully submitted,

/s/ Frank E. Lamothe, III

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JS 44 (Rev. 06/17)

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

Dwayne Lewis

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
Richard M. Martin, Jr./Frank E. Lamothe III, Lamothe Law Firm, LLC
400 Poydras Street, Suite 1760, New Orleans, Louisiana 70130;
(504) 704-1414

DEFENDANTS

Seacor Marine, LLC, Seacor Liftboats, LLC, Semco, LLC

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

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

Attorneys (If Known)

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

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

28 USC § 1333

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 checked="" 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 checked="" 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	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 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 <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

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

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

VI. CAUSE OF ACTION

Brief description of cause:
General Maritime Law Claim for Damages arising from L/B SEACOR POWER disaster

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 Hon. Jane Milazzo DOCKET NUMBER 21:854

DATE
06/01/2021
FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD

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. When the petition for removal is granted, check this box.
 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.