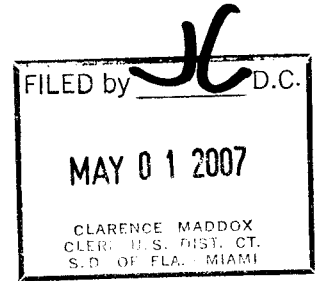


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA



LOUIS VUITTON MALLETIER,

Plaintiff,

v.

CASE No. **07-21151**

SHLOMO SWISSA,
ENERGETIC BY BAG, INC., and
SHLOMO SWISSA ENTERPRISES,
CORP.

Defendants.

CIV - HUCK

**MAGISTRATE JUDGE
SIMONTON**

COMPLAINT

Plaintiff, by its attorneys, complaining of Defendants, alleges upon information and belief, as follows:

NATURE OF ACTION

1. This is a trademark case. Plaintiff is suing Defendants as a result of Defendants' sale, offers of sale, distribution, display, promotion, marketing and advertisement of products bearing infringement and/or counterfeits of Plaintiff's federally registered trademarks. In addition, Plaintiff is suing Defendant Shlomo Swissa Enterprises, Corp. for cancellation of its infringing trademark registrations.

JURISDICTION AND VENUE

2. This Court has jurisdiction of this action under 28 U.S.C. § 1331 and 28 U.S.C. § 1338.

3. Defendants reside in the Southern District of Florida, do business in this District and have committed the acts complained of herein in this District. Venue is proper in this District pursuant to 28 U.S.C. § 1391.

4. Defendants are subject to the jurisdiction of this Court pursuant to and in accordance with the laws of Florida and Rule 4 of the Federal Rules of Civil Procedure.

THE PARTIES

5. Plaintiff Louis Vuitton Malletier (hereinafter "Plaintiff" or "Louis Vuitton") is a societe anonyme duly organized and existing under the laws of France, having an office and principal place of business in Paris, France.

6. Defendant SHLOMO SWISSA ("Swissa") is an individual who resides in this District and does business at 2262 N.W. 20th Street, Miami, Florida.

7. Defendant ENERGETIC BY BAG, INC. ("Energetic") is a Florida corporation that has or had its principal place of business in this District.

8. Defendant SHLOMO SWISSA ENTERPRISES, CORP. ("Swissa Enterprises") is a Florida corporation that has or had its principal place of business in this District.

9. Defendant Swissa is an officer, shareholder, director, employee and/or agent of Defendants Energetic and Swissa Enterprises. Defendant Swissa controls Defendants Energetic and Swissa Enterprises and is the moving force behind all actions and conduct of said entities. Defendant Swissa is directly involved in the actions and decision making of Energetic and Swissa Enterprises and he directly benefits from the profits earned by such entities. Defendants Swissa, Energetic and Swissa Enterprises will generally hereinafter be collectively referred to as “Defendants.”

FACTUAL ALLEGATIONS

Plaintiff's Famous Trademarks and Products

10. Plaintiff Louis Vuitton is engaged in the manufacture, sale and distribution in interstate and foreign commerce of prestigious high-quality, luxury merchandise.

11. Louis Vuitton is the sole and exclusive distributor in the United States of its products. Louis Vuitton's products include, but are not limited to, a wide variety of luggage, handbags, trunks, garment bags, brief cases, wallets, key chains, shoes, small leather goods and other items. Plaintiff Louis Vuitton's products are sold on eluxury.com, throughout the United States in company owned boutiques, and in highly quality retail stores such as Saks Fifth Avenue and Neiman Marcus.

12. Louis Vuitton owns many different federally registered trademarks, including, but not limited to, the following: LV - U.S. Trademark Registration No. 1,519,828

of January 10, 1989; the Pattern Design - U.S. Trademark Registration No. 297,594 of September 20, 1932; the Floral Decor - U.S. Trademark Registration No. 1,841,850 of June 28, 1994; the Flower - U.S. Trademark Registration No. 2,177,828 of August 4, 1998; the Flower in a Circle - U.S. Trademark Registration No. 2,181,753 of August 18, 1998; and the Flower in a Rhombus - U.S. Trademark Registration No. 2,773,107 of October 14, 2003 (hereinafter collectively referred to as the “Louis Vuitton Trademarks”).

13. Said registrations are in full force and effect.

14. One or more of the Louis Vuitton Trademarks appears on each of Plaintiff's products.

15. Louis Vuitton has used the Louis Vuitton Trademarks in the United States and in interstate commerce for many years.

16. The Louis Vuitton Trademarks and the goodwill associated therewith are of inestimable value to Louis Vuitton.

17. At great expense to Louis Vuitton, its merchandise (bearing one or more of the Louis Vuitton Trademarks) has been widely advertised, offered for sale, sold and distributed throughout the United States. As a result of the extensive advertising of Louis Vuitton's products, the widespread sale of its merchandise and the celebrity that Louis Vuitton and its Louis Vuitton Trademarks have achieved, Louis Vuitton's goods bearing the Louis Vuitton Trademarks have been and are recognized by consumers, the public and the trade as originating from a single and exclusive source, Louis Vuitton.

Defendants' Infringing Activities

18. After Plaintiff's adoption and use of the Louis Vuitton Trademarks on its products, Defendants began selling, offering for sale, distributing, displaying, promoting, marketing and advertising merchandise bearing infringements and/or counterfeits of Plaintiff's Louis Vuitton Trademarks. Defendants engaged in their infringing activities, individually, collectively and/or through their agents, including through non-party Avi Swissa, the brother of Defendant Swissa. The attached photocopy of the home page of Defendants' website illustrates some of Defendants' unlawful actions and evidences Defendants' intent to unlawfully profit from Plaintiff's intellectual property.

19. In connection with Defendants' intention to misappropriate Plaintiff's rights, Defendants Swissa and Swissa Enterprises applied for, and caused Swissa Enterprises to obtain, the following federal trademarks: VR (U.S. Trademark Registration No. 2,891,773 of October 5, 2004); the Circle Design (U.S. Trademark No. 2,971,908 of July 19, 2005); the Square Design (U.S. Trademark Registration No. 2,971,909 of July 19, 2005); and the Diamond Design (U.S. Trademark Registration No. 2,971,910 of July 19, 2005) (collectively the "Swissa Trademarks").

20. Each of the Swissa Trademarks is an unlawful infringement and/or copy of at least one of the Louis Vuitton Trademarks. Defendants generally use all of the Swissa Trademarks together on their merchandise, or all of such marks except the "VR" mark

referred to above. Each of said uses by Defendants also unlawfully infringes and/or copies Plaintiff's Pattern Design and Floral Decor marks (referred to in paragraph 12 above).

21. Louis Vuitton has never authorized or consented in any way to the use by Defendants of the Louis Vuitton Trademarks, and/or copies or infringements thereof (including the Swissa Trademarks).

22. The use by Defendants of the Louis Vuitton Trademarks, and/or copies or infringements thereof, on Defendants' products is likely to cause consumers, the public and the trade to erroneously believe that the goods Defendants sell and have sold are authorized, sponsored, or approved by Louis Vuitton when, in fact, they are not.

23. Defendants have acted with reckless disregard for Louis Vuitton's rights and/or were willfully blind in connection with their unlawful activities. Alternatively, Defendants intentionally engaged in their illegal activities. Therefore, this case constitutes an exceptional case under 15 U.S.C. § 1117(a) and/or a case of intentional counterfeiting under 15 U.S.C. § 1117(b).

24. By using infringements and/or counterfeits of the Louis Vuitton Trademarks, Defendants have traded on the goodwill and reputation of Louis Vuitton and have created the false impression that their goods are Plaintiff's legitimate products.

25. Among other things, the distribution, sale, offers of sale, display, promotion, marketing and advertisement by Defendants of their products bearing infringements and/or counterfeits of the Louis Vuitton Trademarks has and will: reflect

adversely on the Louis Vuitton as the believed source of origin thereof; hamper continuing efforts by Plaintiff to protect its outstanding reputation for high quality, originality and distinctive goods; and tarnish the goodwill and demand for genuine Louis Vuitton merchandise.

26. Defendants have disparaged Plaintiff, its Louis Vuitton Trademarks and its products by creating a false association and comparing Defendants' goods (bearing infringements and/or counterfeit of the Louis Vuitton Trademarks) with Plaintiff's genuine goods and Louis Vuitton Trademarks.

27. Defendants have misappropriated Louis Vuitton's advertising ideas and style of doing business with regard to the advertisement, promotion, marketing and sale of Plaintiff's genuine products.

28. Defendants' infringement and/or counterfeiting of the Louis Vuitton Trademarks is likely to cause, is causing and will continue to cause a likelihood of confusion, deception and mistake on the part of consumers, the public and the trade. This confusion causes irreparable harm to Louis Vuitton and dilutes the distinctive quality of the Louis Vuitton Trademarks. Accordingly, Defendants must be restrained and enjoined from any further infringement and/or counterfeiting of the Louis Vuitton Trademarks.

29. Plaintiff has no adequate remedy at law.

30. Louis Vuitton has suffered harm and damages as a result of the acts of Defendants in an amount thus far not determined. The injuries and damages sustained by

Plaintiff have been directly and proximately caused by Defendants' wrongful advertisement, promotion, marketing, display, distribution, sale and offers of sale of their goods bearing infringements and/or counterfeits of the Louis Vuitton Trademarks.

31. Moreover, Defendants have been unjustly enriched by illegally using and misappropriating Louis Vuitton's intellectual property for their own financial gain.

FIRST CLAIM FOR RELIEF
(Trademark Infringement and Counterfeiting)

32. Plaintiff hereby incorporates by reference the allegations set forth above in paragraphs 1 through 31.

33. Defendants' wrongful and illegal acts set forth above constitute trademark infringement in violation of 15 U.S.C. §1114.

34. Defendants' willfully blind, reckless, and/or intentional use of counterfeit marks, identical with, or substantially indistinguishable from the Louis Vuitton Trademarks, in the sale, offering for sale, distribution, display, promotion, marketing and advertisement of Defendants' goods, violates 15 U.S.C. § 1117(b) of the Lanham Act.

35. The unlawful acts of Defendants have and will continue to cause irreparable injury to Plaintiff.

36. By reason of the foregoing, Defendants are liable to Louis Vuitton for any and all remedies provided by 15 U.S.C. § 1117.

SECOND CLAIM FOR RELIEF
(False Designation Of Origin)

37. Plaintiff hereby incorporates by reference the allegations set forth above in paragraphs 1 through 31.

38. Defendants have affixed, applied, or used in connection with their sale, offers of sale, distribution, display, advertisement, marketing and promotion of goods, false designations of origin and false descriptions and representations, including words or other symbols which tend falsely to describe or represent such goods and have caused such goods to enter into commerce with actual and/or constructive knowledge of the falsity of such designations of origin and such descriptions and representations, all to the detriment of Louis Vuitton.

39. The use by Defendants of infringing and/or counterfeit marks substantially indistinguishable from the Louis Vuitton Trademarks on Defendants' products constitutes false descriptions and representations and is a false designation of origin which is likely to cause confusion and mistake in the minds of consumers, the public and the trade.

40. Defendants' wrongful and illegal acts set forth above constitute false designations of origin in violation of 15 U.S.C. § 1125.

41. The unlawful acts of Defendants have and will continue to cause irreparable injury to Louis Vuitton.

42. By reason of the foregoing, Defendants are liable to Plaintiff for any and all remedies provided by 15 U.S.C. § 1117.

THIRD CLAIM FOR RELIEF
(Cancellation of the Swissa Trademarks)

43. Plaintiff hereby incorporates by reference the allegations contained in paragraph 1 - 31 as if fully set forth herein.

44. As a result of Plaintiff's widespread advertising and promotion, the Louis Vuitton Trademarks have acquired a high degree of recognition and distinctiveness as symbols of the quality of products offered by Plaintiff prior to the filing date of Defendant Swissa Enterprises' federal registration applications, which ultimately matured into the Swissa Trademarks and U.S. Registration Nos. 2,891,773, 2,971,908, 2,971,909 and 2,971,910.

45. Louis Vuitton is suffering ongoing damage as a result of the registration of the Swissa Trademarks. Among other things, the registration of said marks is inconsistent with Plaintiff's prior rights in its Louis Vuitton Trademarks.

46. Pursuant to 15 U.S.C. §§ 1052(d), 1064(1) and 1119, and consistent with Louis Vuitton's prior rights, this Court has the authority to rectify the United States Patent and Trademark Office ("USPTO") Principal Register by ordering the cancellation of U.S. Registration Nos. 2,891,773, 2,971,908, 2,971,909 and 2,971,910.

47. As alternate grounds for cancellation of U.S. Registration Nos. 2,891,773, 2,971,908, 2,971,909 and 2,971,910, Plaintiff alleges that Defendants Swissa and Swissa Enterprises made false statements to the USPTO in the registration applications submitted by Swissa and Swissa Enterprises for the Swissa Trademarks. Said Defendants

falsely certified in the applications that they believed the applicant (i.e., Swissa Enterprises) to be entitled to use the Swissa Trademarks in commerce and that to the best of their knowledge and belief no other person, firm, corporation or association has the right to use such marks in commerce, either in the identical form or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or to cause mistake, or to deceive.

48. Defendants Swissa and Swissa Enterprises knew that such statements were false at the time that they included them in the registration applications for the Swissa Trademarks.

49. Defendants Swissa and Swissa Enterprises made the false statements with the intention of causing the USPTO to take action with respect to the registration applications, namely, to pass the applications to registration.

50. When the examining attorney at the USPTO examined said registration applications, he/she reasonably relied upon the false statements included therein and registered the Swissa Trademarks at U.S. Registration Nos. 2,891,773, 2,971,908, 2,971,909 and 2,971,910.

51. Because it enjoys prior use of its Louis Vuitton Trademarks in both intrastate and interstate commerce, and because Defendants Swissa and Swissa Enterprises committed fraud on the USPTO in obtaining their registrations, Plaintiff is entitled to the

cancellation of U.S. Registration Nos. 2,891,773, 2,971,908, 2,971,909 and 2,971,910 pursuant to 15 U.S.C. §§ 1052(d), 1064(1) & (3).

52. This Court has the authority to order the cancellation of said registration to rectify the USPTO Principal Register pursuant to 15 U.S.C. § 1119.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

I. That preliminary and permanent injunctions be issued enjoining Defendants and their agents, servants, employees and those persons in active concert or participation with them, from:

A. manufacturing, promoting, advertising, marketing, distributing, displaying, selling, or offering to sell merchandise bearing infringements or counterfeits of any of the Louis Vuitton Trademarks;

B. reproducing, copying, infringing, or counterfeiting the Louis Vuitton Trademarks, including using any of the Louis Vuitton Trademarks, or any marks similar thereto, including the Swissa Trademarks, in connection with manufacturing, promoting, advertising, distributing, displaying, selling, or offering to sell any unauthorized goods or unauthorized services;

C. using any logo, trade name, or trademark which may be calculated to falsely represent that the services or products of Defendants are sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff;

D. falsely representing themselves as being connected with the Plaintiff, or sponsored by or associated with Plaintiff, or engaging in any act which is likely to falsely cause the trade, retailers and/or members of the public to erroneously believe

that Defendants and/or their products are in any way endorsed by, approved of, and/or associated with Plaintiff;

E. using any reproduction, infringement, counterfeit, copy, or colorable imitation of the Louis Vuitton Trademarks, including the Swissa Trademarks, in connection with manufacturing, promoting, advertising, distributing, displaying, selling, or offering to sell any unauthorized goods or services, including, without limitation, items bearing a reproduction, infringement, counterfeit, copy, or colorable imitation of the Louis Vuitton Trademarks;

F. disposing, destroying, altering, moving, removing, concealing, tampering with or in any manner secreting any business records of any kinds, including invoices, correspondence, books of account, receipts or other documentation relating or referring in any manner to the manufacture, promotion, marketing, advertisement, receipt, acquisition, importation, distribution, purchase, display, sale or offer for sale of any merchandise bearing a reproduction, infringement, counterfeit, copy, or colorable imitation of the Louis Vuitton Trademarks;

G. possessing, receiving, manufacturing, assembling, distributing, displaying, advertising, marketing, promoting, returning, selling, offering for sale or otherwise disposing of any products, labels, tags, signs, prints, packages, wrappers, receptacles, advertisements, or other items bearing a reproduction, infringement, counterfeit, copy, or colorable imitation of the Louis Vuitton Trademarks, or disposing of any means of producing these items; and

H. knowingly instructing, aiding or abetting any other person or business entity in engaging in any of the activities referred to in subparagraphs A through G above.

II. That Plaintiff be awarded statutory damages from each of the Defendants in an amount of up to \$1,000,000 for each mark counterfeited as provided by 15 U.S.C. §

1117©) of the Lanham Act, or, at Plaintiff's election, that Defendants be required to account to Plaintiff for all damages and/or profits resulting from Defendants' unlawful activities and that the award to Plaintiff be trebled as provided for under 15 U.S.C. §1117.

III. That Plaintiff be awarded a sum that is just under the circumstances as provided for by 15 U.S.C. § 1117.

IV. That Plaintiff be awarded pre-judgment interest in accordance with 15 U.S.C. § 1117.

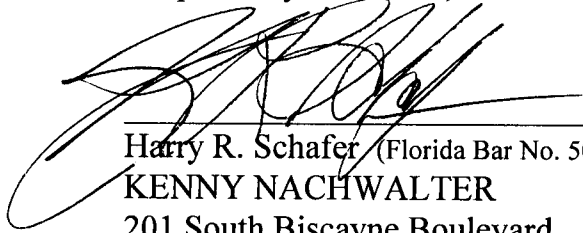
V. That Plaintiff have a recovery from Defendants of all costs and expenses of this action, including, but not limited to, Plaintiff's attorneys' fees and investigators' fees as provided for under 15 U.S.C. § 1117.

VI. That the Court rectify the United States Patent and Trademark Office Principal Register by ordering the cancellation of U.S. Registration Nos. 2,891,773, 2,971,908, 2,971,909 and 2,971,910.

VII. That Plaintiff have all other and further relief as the Court may deem just and proper under the circumstances of this action.

Respectfully submitted,

Dated: May 1, 2007
Miami, FL



Harry R. Schafer (Florida Bar No. 508667)

KENNY NACHWALTER
201 South Biscayne Boulevard
Suite 1100 - Miami Center
Miami, Florida 33131-4327
Telephone: (305) 373-1000
Counsel for the Plaintiff

290049.2

CIVIL COVER SHEET

07-21151

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing 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 1994, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE SIDE OF THE FORM.)

(a) PLAINTIFFS

LOUIS VUITTON MALLETIER

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Paris, France
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Kenny Nachwalter, P.A.
201 South Biscayne Blvd., Suite 1100
Miami, FL 33131 PH: (305) 373-1000

(d) DEFENDANTS

Shlomo Swissa, Energetic By Bag, Inc., and Shlomo Swissa Enterprises Corp.

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Dade
(IN U.S. PLAINTIFF CASES ONLY)

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

ATTORNEYS (IF KNOWN)

Dade / 07-21151-Cv-Huck / Simonton

FILED by *JL*
MAY 1 2007
CLARENCE MADDOX
CLERK U.S. DIST. CT.
OF FLA. - MIAMI

CIV - HUCK

**MAINTENANCE JUDGE
SIMONTON**

(i) CIRCLE COUNTY WHERE ACTION AROSE:
(DADE) MONROE, BROWARD, (PALM BEACH), MARTIN, ST. LUCIE, INDIAN RIVER, OKEECHOBEE, HIGHLANDS

II. BASIS OF JURISDICTION		III. CITIZENSHIP OF PRINCIPAL PARTIES					
(PLACE AN X ONE BOX ONLY)		(For Diversity Case Only)		PTF		DEF	
<input type="checkbox"/> 1. U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party)	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	(PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)		
<input type="checkbox"/> 2. U.S. Government Defendant	<input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
		Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
					Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. CAUSE OF ACTION
15 U.S.C. Section 1114 and related claims

IVa. 5 days estimated (for both sides) to try entire case

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)				
A CONTACT	A TORTS	B FORFEITURE PENALTY	A BANKRUPTCY	A OTHER STATUS
<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 (Excl Veterans) B <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits B <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	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-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending B <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other A LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor Management Relations B <input type="checkbox"/> 730 Labor Management Reporting & Disclosure Act <input type="checkbox"/> Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Ret. Inc. Security Act B	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 withdrawal 28 USC 157 A PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark B SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1385f) <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"/> RSI (405(g)) A 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"/> 400 States Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commercial/ICC Rates/etc. B <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 990 Other Statutory Actions* * A or B
A REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure B <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	A CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	B PRISONER PETITIONS <input type="checkbox"/> Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus and Other* <input type="checkbox"/> 550 Civil Rights * A or B		

VI. ORIGIN
 Original Proceeding
 Removed from State Court
 Remanded from Appellate Court
 Referred
 Transferred from another district (specify)
 6. Multidistrict Litigation
 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT
CHECK IF THIS IS A CLASS ACTION DEMAND \$ over \$1,000,000.00
JURY DEMAND: YES NO

VIII. RELATED CASE(S) IF ANY (See Instructions)
Docket 02-23096 JUDGE

DATE May 1, 2007 SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT FOR OFFICE USE ONLY: Receipt No. *958841* Amount \$350.00

05/01/07