

Douglas E. Dexter (State Bar No. 115868)
FARELLA BRAUN & MARTEL LLP
235 Montgomery Street, 17th Floor
San Francisco, CA 94104
P: (415) 954-4400 F: (415) 954-4480

Stuart J. Miller (SJM 4276)
LANKENAU & MILLER, LLP
132 Nassau Street, Suite 1100
New York, NY 10038
P: (212) 581-5005 F: (212) 581-2122

Mary E. Olsen (OLSEM4818)
M. Vance McCrary (MCCRM4402)
THE GARDNER FIRM, P.C.
182 St. Francis Street, Suite 103
Mobile, AL 36602
P: (251) 433-8100 F: (251) 433-8181

Attorneys for Plaintiff Vernie Roberts, Jr.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VERNIE ROBERTS, JR. on his own behalf and
on behalf of all other persons similarly situated,

Plaintiff,

v.

TELLTALE GAMES, INC.,

Defendant.

Case No.: 3:18-cv-5850

**CLASS ACTION COMPLAINT [VIOLATION
OF WORKER ADJUSTMENT AND
RETRAINING NOTIFICATION ACT, 29
U.S.C. §§ 2101 – 2109 AND CALIFORNIA
LABOR CODE §§ 1400 ET SEQ.]**

DEMAND FOR JURY TRIAL

VERNIE ROBERTS, JR. (“Plaintiff”) on behalf of himself and a class of those similarly
situated, by way of Complaint against TELLTALE GAMES (hereinafter referred to as
“Defendant”) by and through his counsel, alleges as follows:

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CLASS ACTION COMPLAINT [VIOLATION OF
WORKER ADJUSTMENT AND RETRAINING
NOTIFICATION ACT]

NATURE OF THE ACTION

1
2 1. This is a civil action for collection of unpaid wages and benefits for sixty (60)
3 calendar days pursuant to the Worker Adjustment and Retraining Notification Act of 1988
4 (“WARN”), 29 U.S.C. §§ 2101-2109 et. seq. and its California counterpart, California Labor Code
5 §§ 1400 et seq. (collectively, the “WARN Act”).

6 2. Plaintiff and the class of similarly situated employees he seeks to represent were
7 terminated as part of, or as a result of, the shutdown or mass layoff ordered by the Defendant. As
8 such, the Defendant violated the WARN Act by failing to give the Plaintiff and the class of
9 similarly situated employees he seeks to represent at least 60 days’ advance written notice of
10 termination, as required by the WARN Act. As a consequence, the Plaintiff and other similarly
11 situated employees are entitled under the WARN Act to recover from the Defendant 60 days’
12 wages and ERISA benefits, none of which has been paid.

JURISDICTION AND VENUE

13
14 3. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. § 1331 and
15 29 U.S.C. § 2104 (a)(5).

16 4. The facility at which the Plaintiff and other similarly situated employees worked
17 was located in this district.

THE PARTIES

18
19 5. Plaintiff and the other similarly situated employees were employed by Defendant
20 and reported to a facility located at 4000 Civic Center Dr., Suite 100; San Rafael, CA 94903 (the
21 “Facility”) until their terminations which occurred on or about September 21, 2018.

22 6. Upon information and belief, at all relevant times, Defendant was a California
23 corporation, which owned, operated and maintained the Facility.

24 7. On or about September 21, 2018, Defendant ordered the termination, without cause
25 of Plaintiff and approximately 275 other similarly situated employees at the Facility without
26 providing Plaintiff and the Proposed Class with advance written notice as required by the WARN
27 Act.

**THE CLAIM FOR RELIEF PURSUANT TO 29 U.S.C. § 2104 AND CALIFORNIA
LABOR CODE § 1404**

8. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 7 above, as if set forth in their entirety.

9. The Plaintiff brings this action on his own behalf and, pursuant to the WARN Act, and Rules 23(a) and (b) of the Federal Rules of Civil Procedure, on behalf of all other similarly situated former employees of Defendant who were terminated on or about September 21, 2018 and thereafter who worked at the Facility until their termination (the “Proposed Class”).

10. Each of the Proposed Class members are similarly situated to the Plaintiff in respect to his or her rights under the WARN Act.

11. The Plaintiff and the Proposed Class members were discharged by Defendant, without cause on his or her part.

12. Defendant was required by the WARN Act to give the Plaintiff and each of the Proposed Class members at least sixty (60) days prior written notice of their respective terminations.

13. Prior to their terminations, neither the Plaintiff nor the Proposed Class members received any written notice that complied with the requirements of the WARN Act.

14. At all relevant times, the Defendant employed 100 or more employees, exclusive of part-time employees, or employed 100 or more employees who in the aggregate worked at least 4,000 hours per week exclusive of hours of overtime within the United States as defined by 20 U.S.C. § 2101 of WARN and its California counterpart, California Labor Code §§ 1400 et seq. and employed more than 50 employees at its Facility.

15. At all relevant times, the Defendant was an “employer,” as that term is defined in 29 U.S.C. § 2101(a)(1) of WARN and 20 C.F.R. § 639.3(a) and its California counterpart, California Labor Code §§ 1400 et. seq.

16. At all times relevant herein, Plaintiff and the Proposed Class were “employees” of Defendant as defined by 29 U.S.C. § 2101 of WARN and its California counterpart, California Labor Code §§ 1400 et seq.

1 17. On or about September 21, 2018, the Defendant ordered a “mass layoff” or “plant
2 closing” as those terms are defined by 29 U.S.C. § 2101(a)(2) and (3) and its California
3 counterpart, California Labor Code §§ 1400 et seq., by ordering the termination of the
4 employment of Plaintiff and approximately 275 Proposed Class members who worked at the
5 Facility (the “Aggrieved Employees”).

6 18. Defendant’s actions at the Facility resulted in an “employment loss” for at least
7 thirty-three percent of its employees, and at least 50 of its employees, excluding (a) employees
8 who worked less than six of the twelve months prior to the date WARN notice was required to be
9 given and (b) employees who worked an average of less than 20 hours per week during the 90-day
10 period prior to the date WARN notice was required to be given.

11 19. Defendant’s permanent termination of the Aggrieved Employees constituted a
12 “mass layoff” or “plant closing” as defined by 29 U.S.C. § 2101 of WARN and its California
13 counterpart, California Labor Code §§ 1400 et seq.

14 20. Plaintiff and the Proposed Class are “affected employees” as defined by 29 U.S.C.
15 § 2101 of WARN and its California counterpart, California Labor Code §§ 1400 et seq.

16 21. Pursuant to Section 2102 of WARN and its California counterpart, California
17 Labor Code §§ 1400 et seq., Defendant was required to provide Plaintiff and the Proposed Class at
18 least 60 days prior written notice of their terminations.

19 22. Defendant failed to give at least sixty (60) days prior written notice to Plaintiff and
20 the Proposed Class members of their terminations, in violation of WARN.

21 23. The Defendant failed to pay the Aggrieved Employees their respective wages,
22 salary, commissions, bonuses, accrued holiday pay and accrued vacation for 60 working days
23 following their respective terminations, and failed to make the pension and 401(k) contributions,
24 provide other employee benefits under ERISA, and pay their medical expenses for 60 calendar
25 days from and after the dates of their respective terminations.

26 24. As a result of Defendant’s failure to pay the wages, benefits and other monies, the
27 Aggrieved Employees were damaged in an amount equal to the sum of the members’ unpaid
28 wages, accrued holiday pay, accrued vacation pay, accrued sick leave pay and benefits which

1 would have been paid for a period of sixty (60) calendar days after the date of the members'
2 terminations.

3 **CLASS ACTION ALLEGATIONS— FEDERAL RULES**
4 **OF CIVIL PROCEDURE 23 (a) AND (b)**

5 25. The Plaintiff asserts this claim on behalf of himself and the Proposed Class
6 pursuant to Rule 23 (a) and (b) (3) of the Federal Rules of Civil Procedure.

7 26. The Plaintiff and the Proposed Class constitute a class within the meaning of Rules
8 23(a) and (b)(3) of the Federal Rules of Civil Procedure.

9 27. The Proposed Class is so numerous as to render joinder of all members
10 impracticable as there are approximately 275 persons who are included in the Proposed Class.

11 28. Common questions of law and fact are applicable to all members of the Proposed
12 Class.

13 29. The common questions of law and fact arise from and concern the following facts
14 and actions, among others, that Defendant committed or failed to commit as to all members of the
15 Proposed Class: all Proposed Class members enjoyed the protection of the WARN Act; all
16 Proposed Class members were employees of Defendant who, prior to the terminations, worked at
17 the Facility; Defendant terminated the employment of all the members of the Proposed Class
18 without cause on their part and without giving them at least sixty (60) days' prior written notice as
19 required by the WARN Act; and Defendant failed to pay the Proposed Class members wages and
20 to provide other employee benefits for the sixty (60) day period following their respective
21 terminations.

22 30. The questions of law and fact common to the members of the Proposed Class, as
23 above noted, predominate over any questions affecting only individual members, and thus, this
24 class claim is superior to other available methods for the fair and efficient adjudication of this
25 controversy.

26 31. The Plaintiff's claims are typical of the claims of other members of the Proposed
27 Class in that for each of the several acts described above, the Plaintiff is or was an injured party.

28

1 32. The Plaintiff will fairly and adequately protect and represent the interests of the
2 Proposed Class.

3 33. The Plaintiff has the time and resources to prosecute this action and has retained
4 counsel who have had extensive experience in matters involving employee rights, the WARN Act
5 and class action litigation.

6 34. The Proposed Class meets the requirements of Fed. R. Civ. P. 23(a) for class
7 certification.

8 35. The Proposed Class meets the requirements of Fed. R. Civ. P. 23(b)(3) because the
9 questions of law or fact common to the members of the Proposed Class predominate over any
10 questions affecting only individual members, and that a class action is superior to other available
11 methods for the fair and efficient adjudication of the controversy.

12 36. No Proposed Class member has an interest in individually controlling the
13 prosecution of a separate action under the WARN Act.

14 37. No litigation concerning the WARN Act rights of any Proposed Class member has
15 been commenced by any other employee than Plaintiff.

16 38. Concentrating all the potential litigation concerning the WARN Act rights of the
17 Proposed Class members in this Court will avoid a multiplicity of suits, will conserve judicial
18 resources and the resources of the parties and is the most efficient means of resolving the WARN
19 Act rights of all the Proposed Class members.

20 39. On information and belief, the identity of the Proposed Class members is contained
21 in the books and records of Defendant.

22 40. On information and belief, a recent residence address of each of the Proposed Class
23 members is contained in the books and records of Defendant.

24 41. On information and belief, the rate of pay and benefits that was being paid by
25 Defendant to each Proposed Class member at the time of his/her termination is contained in the
26 books and records of Defendant.

27 42. As a result of Defendant's violation of the WARN Act, the Plaintiff and the other
28 members of the Proposed Class have been damaged in amounts equal to the sum of: (a) their

1 respective lost wages, salaries, commissions, bonuses, accrued holiday pay, accrued vacation pay,
 2 401 (k) contributions for sixty (60) days; (b) the health and medical insurance and other fringe
 3 benefits that they would have received or had the benefit of receiving, for a period of sixty (60)
 4 days after the dates of their respective terminations; and (c) medical expenses incurred during such
 5 period by such persons that would have been covered and paid under the then applicable employee
 6 benefit plans had that coverage continued for that period.

7 **WHEREFORE**, the Plaintiff demands judgment against the Defendant as follows:

8 a. An amount equal to the sum of all of the Aggrieved Employees': unpaid
 9 wages, salary, commissions, bonuses, accrued holiday pay, accrued vacation pay, pension and 401
 10 (k) contributions and other ERISA benefits, for sixty (60) days following the member employee's
 11 termination, that would have been covered and paid under the then applicable employee benefit
 12 plans had that coverage continued for that period, all determined in accordance with the WARN
 13 Act, 29 U.S.C. §2104(a)(1)(A) and its California counterpart, California Labor Code §§ 1400 et
 14 seq.

15 b. Certification that the Plaintiff and the Proposed Class members constitute a
 16 single class;

17 c. Appointment of the undersigned attorneys as Class Counsel;

18 d. Appointment of Plaintiff as the Class Representative and payment of
 19 reasonable compensation to him for his services as such;

20 e. Interest as allowed by law on the amounts owed under the preceding
 21 paragraphs;

22 f. The reasonable attorneys' fees and the costs and disbursements the Plaintiff
 23 incurs in prosecuting this action, as authorized by the WARN Act, 29 U.S.C. §2104(a)(6); and its
 24 California counterpart, California Labor Code §§ 1400 et seq., and

25 g. Such other and further relief as this Court may deem just and proper.
 26
 27
 28

1 **PLAINTIFF DEMANDS TRIAL BY JURY.**

2
3 Date: September 24, 2018.

4 BY: /s/ Douglas E. Dexter

5 Attorneys for Plaintiff

6 Douglas E. Dexter (State Bar No. 115868)

7 FARELLA BRAUN & MARTEL LLP

235 Montgomery Street, 17th Floor

San Francisco, CA 94104

8 P: (415) 954-4400

9 F: (415) 954-4480

10 LANKENAU & MILLER, LLP

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132 Nassau Street, Suite 1100

New York, NY 10038

12 P: (212) 581-5005

13 F: (212) 581-2122

14 THE GARDNER FIRM, P.C.

15 Mary E. Olsen

Vance McCrary

182 St. Francis Street, Suite 103

16 Post Office Drawer 3103

17 Mobile, AL 36652

18 P: (251) 433-8100

19 F: (251) 433-8181

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

VERNIE ROBERTS, JR.

(b) County of Residence of First Listed Plaintiff Marin

(EXCEPT IN U.S. PLAINTIFF CASES)

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

Douglas E. Dexter (SBN 115868)/Chandra S. Andrade (SBN 271769)

Farella Braun + Martel LLP, 235 Montgomery Street, 17th Floor

San Francisco, CA 94104 P: (415) 954-4400

(see attachment for additional Attorneys)

DEFENDANTS

TELLTALE GAMES, INC.,

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 type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	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 checked="" 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"/> 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 ACTION

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

28 U.S.C. § 29 U.S.C. § 2104(a)(5)

Brief description of cause:

Civil action for unpaid wages and benefits pursuant to the Worker Adjustment and Retraining Notification Act.

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 September 24, 2018

SIGNATURE OF ATTORNEY OF RECORD /s/ Douglas E. Dexter

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE



INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. 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.



ATTACHMENT TO CIVIL CASE COVER SHEET

Additional Attorneys for Plaintiff

Stuart J. Miller (SJM 4276)
LANKENAU & MILLER, LLP
132 Nassau Street, Suite 1100
New York, NY 10038
P: (212) 581-5005 F: (212) 581-2122

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THE GARDNER FIRM, P.C.
182 St. Francis Street, Suite 103
Mobile, AL 36602
P: (251) 433-8100 F: (251) 433-8181

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Telltale Games Hit with WARN Act Class Action Lawsuit Days After Company Shut Down](#)
