

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

AMANDA JONES, *plaintiff*,

Case No. 2:24-cv-10750

vs.

DAN KLEINMAN, *defendant*.

COMPLAINT

Plaintiff Amanda Jones, through undersigned counsel, files this complaint against Defendant Dan Kleinman:

INTRODUCTION

1. Dan Kleinman is a self-described library watchdog in New Jersey. For years, he has harassed librarians, primarily, but not exclusively, online. He authors a blog called SafeLibraries where he reports purported librarian-related exposes. He promotes his material on X, where he posts using the handle @SexHarassed.

2. Amanda Jones is an elementary school librarian in Louisiana. For the past two years, Kleinman has targeted Jones, sometimes posting about her several times in one day. He falsely represents that she “sexualizes” children. He claims she gives adult books with titles such as “Spanking for Lovers,” “The Ultimate Guide to Kink,” and “The Ultimate Guide to Threesomes” to children. He labels her a “child groomer” and “domestic terrorist.”

3. Kleinman specifically directs his posts about Jones to a Louisiana audience, including Louisiana’s elected officials. His activities directed at Jones have escalated in recent months. Since March, he has appeared on Louisiana talk radio to talk about Jones; traveled to Louisiana for the purpose of speaking about Jones at a ticketed event, for which he was the featured

guest; purported to have attended the annual Louisiana Library Association meeting for the purpose of encountering Jones; and even contacted Live Oak Middle School, Jones's employer, at least twice. He has implored the Louisiana Department of Education to revoke Jones's teaching certificate and Livingston Parish parents to challenge it.

4. Kleinman's statements about Jones are false and harmful. They cast Jones as a deviant and a danger to children and expose her to misplaced contempt and ridicule. There is perhaps no statement more injurious to an elementary educator than that they "sexualize" children.

5. "Our constitution has expressly balanced the right of free speech with the responsibility for abuse of that right." *Kennedy v. Sheriff of E. Baton Rouge*, 2005-1418 (La. 7/10/06), 935 So. 2d 669, 680. "[T]here is no constitutional value in false statements of fact. Neither the intentional lie nor the careless error materially advances society's interest in 'uninhibited, robust, and wide-open' debate on public issues." *Mashburn v. Collin*, 355 So. 2d 879, 884 (La. 1977) (quoting *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 340 (1974)). See also *Johnson v. Purpera*, 2020-01175 (La. 5/13/21), 320 So. 3d 374, 394 (same).

6. Kleinman's activities subject him to the jurisdiction of Louisiana courts. Nevertheless, out of an abundance of caution, Jones simultaneously files this lawsuit in the U.S. District Courts for the Middle District of Louisiana and New Jersey.

7. Jones files this lawsuit to hold Kleinman accountable for his false statements about her, but this lawsuit is not solely for Jones. Jones is not the only target of Kleinman's campaigns. Jones hopes that this lawsuit might cause Kleinman to stop falsely maligning librarians everywhere.

PARTIES

8. Plaintiff Amanda Jones is an adult resident of Livingston Parish, Louisiana.

9. On information and belief, Defendant Dan Kleinman is an adult resident of Chatham, New Jersey. He is an owner of SafeLibraries Inc., and available records indicate SafeLibraries Inc. was formed in the state of New Jersey in 2016 and suspended in 2018. Kleinman and SafeLibraries Inc. use the address 641 Shunpike Road # 123 Chatham, New Jersey 07928, which appears to be a mailbox at a UPS store in Chatham, New Jersey.

SUBJECT MATTER JURISDICTION

10. Federal district courts have subject matter jurisdiction over this case pursuant to 28 U.S.C. § 1332(a) because the parties are citizens of different states and the amount in controversy exceeds \$75,000.

VENUE

11. Venue is proper in both the U.S. District Courts for the Middle District of Louisiana and New Jersey pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events giving rise to this case occurred in those districts.

PERSONAL JURISDICTION

12. The U.S. District Court for the Middle District of Louisiana has personal jurisdiction over Kleinman because, as shown in this complaint, his purposeful contacts with the state of Louisiana give rise to Jones's claims. *See Ford Motor Co. v. Montana Eighth Jud. Dist. Ct.*, 592 U.S. 351, 359 (2021). Among other things:

13. He specifically directs his posts about Jones to a Louisiana audience, including Louisiana's elected officials, who he tags.

14. He has appeared on Louisiana talk radio to talk about Jones.

15. He has traveled to Louisiana to speak about Jones at a ticketed event in Baton Rouge, where he was the featured guest.

16. He purports to have attended the annual Louisiana Library Association meeting for the purpose of encountering Jones.

17. He contacted Live Oak Middle School, Jones's employer, at least twice. He made requests pursuant to the Louisiana Public Records Act for, among other things, records of Jones's job performance.

18. He has implored the Louisiana Department of Education to revoke Jones's teaching certificate and Livingston Parish parents to challenge it.

19. These purposeful contacts with the state of Louisiana notwithstanding, out of an abundance of caution, to preserve all rights, in addition to filing this lawsuit in the U.S. District Court for the Middle District of Louisiana, Jones also files it in the U.S. District Court for New Jersey.

FACTS

20. Kleinman has targeted Jones, sometimes posting about her several times in one day, for at least the past two years. He falsely represents that she "sexualizes" children by giving them "obscene" or otherwise sexually explicit material. He says Jones "preys on kids" and calls her a "child groomer."

21. Kleinman's false statements about Jones expose her to misplaced contempt and ridicule. The following are merely indicative of readers' responses to Kleinman's false statements:

"She wrote a whole book about defending porn
to be available to kids in libraries?"

"Right. There's one reason, and one reason only why adults would fight to
sexualize children. And all under the cloak of the 1st amendment.
Devious demons."

"Because she is a big fat groomer liar, that's why. The lengths they are willing to
go to distribute obscenity to minor children is profoundly disturbing."

"A national book tour to promote graphic porn for children. Sick!"

"Who is this sick pervert- AMANDA JONES???
hiding SEXUAL content from Parents.."

"Ah, Amanda Jones. She needs to be in prison for what she's doing to kids."

"She's nobody's hero. She's a groomer. A rather sick and disgusting groomer."

22. Kleinman's false statements are too numerous to reproduce here. The following false statements, all made in 2024 only, are indicative and serve as the basis of this complaint:

February 2024

23. From a February 4, 2024, X post, referring to "@abmack33," who is Amanda Jones:
School librarians trains students to use @Grindr to meet men for a night.

24. From a February 7, 2024, X post, referring to "Amanda Jones @abmack33":
Gr@@mers help each other gr@@m school children.

25. From a February 16, 2024, X post, referring to “Amanda Jones @abmack33”:

S3xualizing school kids is big business for one of @ALALibrary’s school librarian poster girls.

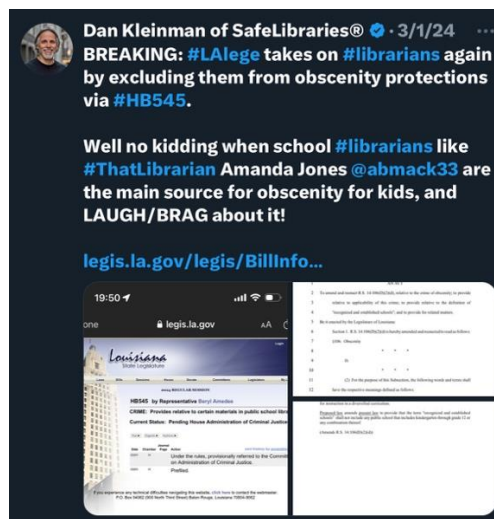
26. From a February 25, 2024, X post, referring to “Amanda Jones @abmack33”:

gro—mers will go into overdrive to convince you + legislators to let them keep s3xualizing kids

March 2024

27. From a March 1, 2024, X post:

school #librarians like #ThatLibrarian Amanda Jones @abmack33 are the main source of obscenity for kids



28. From a March 4, 2024, X post:

I’ve been called ‘dangerous’ for writing this. But Amanda Jones @abmack33 #ThatLibrarian isn’t dangerous for s3xualizing and indoctrinating her middle school students

29. From a March 9, 2024, X post:

Hmm! I'm in Louisiana talking how #librarians collude to s3xualize and indoctrinate children! Sunday is the annual Louisiana Library Association meeting with #ThatLibrarian Amanda Jones @abmack33 so I'll see her! Us NJ guys really get around!



30. From a March 12, 2024, X post:

The word is gr—mer, in this case #ThatLibrarian Amanda Jones @abmack33, star of @ALALibrary's #UniteAgainstBookBans @UABookBans to s3xualize + indoctrinate children nationwide. Be certain this isn't defamation; I'm merely reporting what she herself said

31. From a March 29, 2024, X post:

Librarians s3xualize and indoctrinate school kids like #ThatLibrarian Amanda Jones @abmack33 does, then parents complain

April 2024

32. From an April 8, 2024, X post:

Actual gr—mer of children, Louisiana school #librarian Amanda Jones, rarely opens her @abmack33 account, but it's open now + she's slamming #lalege #lagov essentially for protecting citizens from gr—mers like her. And her gr—ming is truth, not defamation

33. From an April 9, 2024, X post:

Amanda Jones @abmack33 in Louisiana preys on kids. Middle school #librarian. This is what could happen. #ThatLibrarian. And she's @ALALibrary's #UniteAgainstBookBans model. She's gr—ming kids (fact, not defamation, she says it). What could go wrong?

34. From an April 10, 2024, X post:

I report things. People who I expose call that harassment. Amanda Jones @abmack33 is a gr—mer, e.g. I reported her admitting that, but #librarians hate my reporting that. That's their problem, not mine. Here's my report of her admitting to gr—ming

35. From an April 11, 2024, X post:

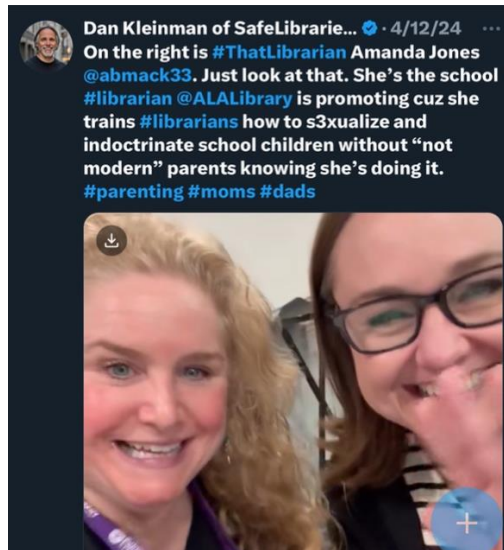
@ALALibrary promoting nation's leading child gr—mer school librarian Amanda Jones @abmack33.

36. From an April 11, 2024, X post:

Louisiana's middle school librarian child gr—mer (fact via her own admissions, not defamation) Amanda Jones has opened her @abmack33 X to attach/astroturf #lalege further for trying to stop her from further s3xualizing, indoctrinating school kids

37. From an April 12, 2024, X post, posting a photo of Amanda Jones:

On the right is #ThatLibrarian Amanda Jones @abmack33. Just look at that. She's the school #librarian @ALALibrary is promoting cuz she trains #librarians how to s3xualize and indoctrinate school children without 'not modern' parents knowing she's doing it.



38. From an April 21, 2024, X post, referring to "Amanda Jones @abmack33":

Here's a middle school child gr—mer school librarian mooching money with her #ThatLibrarian book on how to sneak things past 'not modern' parents she knows they don't want: s3xualization and Marxism.

39. From an April 26, 2024, X post:

@LOMiddleLibrary has DELETED its account after I wrote to the principal to unblock @SexHarrassed. The account was run by #ThatLibrarian Amanda Jones @abmack33, a school #librarian who I reported on admitting to gr**ming school children.

May 2024

40. From a May 1, 2024, X post:

What happened? One of the nation's leading school librarian child gr—omers Amanda Jones @abmack33 is happy #HB946 & #HB777 are 'killed.' What happened? Gr—mers trump children in LA?

41. From a May 4, 2024, SafeLibraries blog post:

My own conclusion from Amanda's actions and reactions as I have reported indicates to me that she needs to be fired as soon as possible—for the kids sake, the end of this school year might be best. And any action taken by Louisiana legislators in reaction to what I and New Louisiana has already disclosed and continue to disclose is done in an atmosphere where school librarians are hiding things from parents AND repeatedly deleting things being reported about their responses to my investigative efforts. When her book 'That Librarian' finally gets published in August, I'll be reading it closely because I'm certain she'll have even more things to hide after I report on that book. Only this time it will have been published on paper and it will be too late to sneak changes behind the scenes in violation of Louisiana law.

42. From a May 11, 2024, X post, referring to "@abmack33," resharing a photo and joke suggestive of anal sex, and referring to a book that allegedly depicts anal sex:

The favorite subwoofer of school librarians .. who like to give kids books like 'Let's Talk About It'!



43. From a May 15, 2024, X post:

What are the consequences of the school deleting its @X account? I know the middle school library where #ThatLibrarians Amanda Jones @abmack33, the self admitted gr**mer, has deleted a school account too: @LOMiddleLibrary.

44. From a May 23, 2024, X post:

Do what's right by citizens and the law. Don't be swayed by tauntings of #librarian Amanda Jones @abmack33 who admits to gr**ming kids of 'not modern' parents @LOMEagles.

45. From a May 24, 2024, X post:

Self admitted child gr**mer and school librarian Amanda Jones @abmack33 who wrote #ThatLibrarian is announcing she is going to continue gr**ming school children.

46. From a May 30, 2024, X post:

No thanks, says Louisiana's home grown gr**mer Amanda Jones @abmack33 #ThatLibrarian to @cadebrumley. When is someone going to fire her from @LOMEagers?

July 2024

47. From a July 14, 2024, X post:

I guarantee you Amanda Jones' @abmack33 parents did NOT raise her to be a child gr**mer.

48. From a July 15, 2024, X post:

We are all supposed to believe this self-admitted child gr**mer Amanda Jones @abmack33 is a hero cuz she's pretty and a school #librarian, not a creepy old man. Like that makes gr**ming okay. She wrote a book!

49. From a July 16, 2024, X post:

Do you realize #ThatLibrarian Amanda Jones @abmack33 is so popular among #librarians BECAUSE she bragged how she s*xualizes and indoctrinates school kids without 'not modern' parents knowing?

50. From a July 26, 2024, X post:

School library self-admitted child gr**mer Amanda Jones @abmack33 provides an update ...

51. From a July 28, 2024, X post:

How has school librarian Amanda Jones s*xualized kids?

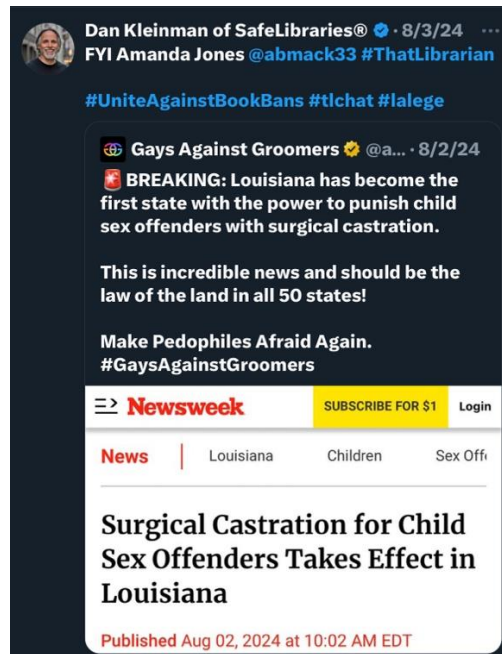
August 2024

52. From an August 2, 2024, X post:

By the way, #ThatLibrarian Amanda Jones @abmack33 bragged about s*xualizing and indoctrinating school kids without 'not modern' parents knowing. No wonder ALA is attacking Christian families to support her and @BloomsburyPub is publishing her lies

53. From an August 3, 2024, X post, resharing a Newsweek article titled “Surgical Castration for Child Sex Offenders Takes Effect in Louisiana”:

FYI Amanda Jones @abmack33 #ThatLibrarian



54. From an August 6, 2024, X post:

child gr**mer middle school #librarian Amanda Jones @abmack33 wrote a book called #ThatLibrarian that urges #librarians how to further s*xualize and indoctrinate more school children

55. From an August 8, 2024, X post:

What thought process allows school #librarians, like Amanda Jones @abmack33 #ThatLibrarian + Martha Hickson @sassy_librarian, to s*xualize + indoctrinate school children?

56. From an August 14, 2024, X post:

Gr**mer gone. Bye Martha Hickson @sassy_librarian. Book by #ThatLibrarian Amanda Jones @abmack33, also a gr**mer, has a section about Martha who has no retired and I heard may have been told she would be fired. So fake news incoming.

57. From an August 25, 2024, X post:

Child gr—mer Amanda Jones @abmack33 goes on a book tour. She wrote #ThatLibrarian for @ALALibrary's #UniteAgainstBookBans to s—xualize and indoctrinate as many kids as possible ... Go meet a gr—mer.

58. From an August 27, 2024, X post, directed to “abmack33”:

You're promoting a gr—mer book on gr—ming.

59. From an August 27, 2024, X post, directed to “abmack33”:

You like gr—ming?

60. From an August 27, 2024, X post, directed to “abmack33”:

She's a gr—mer.

61. From an August 27, 2024, X post, directed to “abmack33”:

She's lying and she's a gr—mer.

62. From an August 27, 2024, X post, referring to “Amanda Jones”:

NO ONE SHOULD ATTACK SCHOOL LIBRARIANS. That said, this particular one is a self-admitted gr—mer. Her certification should be revoked.

63. From an August 31, 2024, SafeLibraries blog post:

Now I bring new evidence about Amanda and it is not only shocking, but it infects her public school's administration. Administrators at Live Oak Middle School, Denham Springs, LA, are colluding with Amanda to violate state law pertaining to open public records.

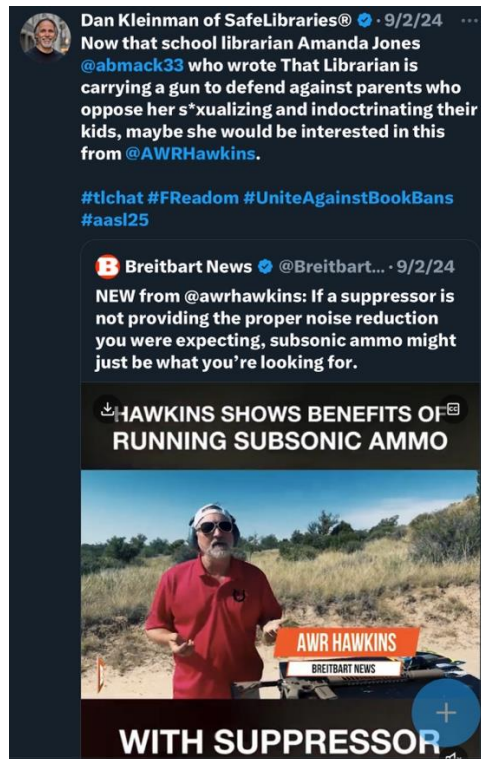
September 2024

64. From a September 1, 2024, X post:

Amanda Jones—That Librarian—School Librarian Who Packs Heat—To Kill Parents Who Don't Like Her Gr—ming Their Kid

65. From a September 2, 2024, X post, resharing article about “subsonic ammo”:

Now that school librarian Amanda Jones @abmack33 who wrote That Librarian is carrying a gun to defend against parents who oppose her s*xualizing and indoctrinating their kids, maybe she would be interested in this



66. From a September 3, 2024, X post:

Administrators at Live Oak Middle School, Denham Springs, LA, are colluding with Amanda to violate state law pertaining to open public records.

67. From a September 7, 2024, email to Live Oak Middle School’s principal,
“Regarding Amanda Jones”:

It is apparent to me that you are acting in violation of the law to protect a school librarian who has publicly stated that she is s*xualizing and indoctrinating school children in her library. Now that makes you responsible as well for covering up her acts.

The audacity of you people. You have Louisiana's most prominent school librarian, now the nation's most prominent school librarian given the push she has gotten from American Library Association, who admitted publicly to gr**ming middle school children. ... You are now accessories after the fact. I am going to do my best to make sure every Louisiana legislator and relevant court knows this.

So here's the deal: You respond in accordance with Louisiana law instead of the Amanda Jones Protection Act of Live Oak Middle School Administrators, and you provide each and every document requested, then the public won't think you have joined Amanda Jones in violating the law to keep the 'not modern' parents in the dark while their children are s*xualized and indoctrinated by school librarians like Amanda Jones and those she trains.

68. From a September 8, 2024, SafeLibraries blog post:

And to Livingston Parish parents, I'm doing my best to expose the harm Amanda Jones and now Live Oak Middle School is doing to your children. I even appeared in Baton Rouge to speak for Citizens for a New Louisiana. . . . But I'm not there now. You need to stand up and demand your school serve you and not some Chicago, Illinois, organization empowering Amanda Jones . . . to indoctrinate and s*xualize your children.

One thing to consider could be challenging the teaching certificate of Amanda Jones. . . . 'Educator credentials can be sanctioned for a conviction of certain criminal offenses, for the submission of fraudulent documentation, for professional license censure, for failure to meet the standards for effectiveness, or for participation in cheating' . . . Anyone see anything there or in the remaining sections? I do.

She's also the poster girl for blowing past Louisiana laws, ethics, and educational standards. If her actions don't lead to change, no one's will, and it's open season on the children.

Why is public employee Amanda Jones still employed in your school? Why are school administrators allowed to help her target your children? How much more evidence is needed before you act?

69. From a September 16, 2024, X post:

PARENTS: School #librarian gr mers like @abmack33 @sassy_librarian are featured in this #BannedBooksWeek PW pub that gaslights from stem to stern

October 2024

70. From an October X, 2024, X post:

As to Amanda Jones, she admits to gr**ming students and is on a nationwide tour for @ALALibrary #UniteAgainstBookBans to train other librarians how to gr**m more students.

November 2024

71. From a November 5, 2024, X post, posting a photo of Amanda Jones:

What does a school #librarian child gr**mer look like?



72. From a November 9, 2024, X post, posting photos of books with visible titles “Spanking for Lovers,” “The Ultimate Guide to Kink,” “The Ultimate Guide to Threesomes,” and “A Transracial Adoption Story”:

Do these look like the perfect school books school librarians like Amanda Jones @abmack33 and Martha Hickson @sassy_librarian would love to give school children per @ALALibrary’s #UniteAgainstBookBans? Yes, they already cover these topics.



CAUSES OF ACTION

COUNT ONE: DEFAMATION

73. Jones realleges the foregoing facts as if stated fully.

74. A defamation claim has the following elements: (1) defamatory words, (2) publication, (3) falsity, (4) malice, and (5) resulting injury.

Defamatory words

75. Kleinman falsely states that Jones gives highly age-inappropriate sexual material, including books that depict anal sex and books with titles such as “Spanking for Lovers,” “The Ultimate Guide to Kink,” and “The Ultimate Guide to Threesomes,” to children.

76. He falsely states that she “preys on kids.”

77. He falsely states that she “sexualizes” children.

78. He falsely labels her a “child groomer.”

79. Kleinman’s statements are defamatory per se or, at minimum, capable of defamatory meaning, because they accuse Jones of criminal conduct and by their very nature injure Jones’s personal or professional reputation.

80. Under La. R.S. § 14:81, “Indecent Behavior with Juveniles,” it is a crime to share “textual, visual, written, or oral communication[s] depicting lewd or lascivious conduct, text, words, or images” with persons under 17.

81. The representations that an elementary educator “preys on” and “sexualizes” children necessarily injures their personal and professional reputation.

82. There is no label more injurious to an elementary educator than “child groomer.” “Groomer” is understood to mean one who cultivates a sexual relationship with a child. *See, e.g., Feitosa v. Keem*, No. 22-cv-3775, 2023 WL 2267055 n.2 (W.D.N.W. Feb. 23, 2023) (denying motion to dismiss defamation claim arising from tweet which alleged plaintiff was a groomer: “In common parlance, ‘grooming’ is understood to be ‘a tactic where someone methodically builds a trusting relationship with a child or young adult, their family, and community to manipulate, coerce, or force the child or young adult to engage in sexual activities.’”); *Bain v. Wrend*, No. 5:14-cv-00202, 2016 WL 4064030 n.2 (D. Vt. July 28, 2016) (“‘Grooming’ is a ‘term commonly used to mean cultivation of an inappropriate relationship with a child for a sexual purpose.’”).

Publication

83. Kleinman made, i.e., published, his statements in the X posts and blog posts reproduced in this complaint.

84. On information and belief, he made the same statements in presentations he made specifically about Jones to targeted audiences on the radio and in-person in Louisiana.

Falsity

85. Kleinman's statements are false.

86. Jones does not give highly age-inappropriate sexual material, including books that depict anal sex and books with titles such as "Spanking for Lovers," "The Ultimate Guide to Kink," and "The Ultimate Guide to Threesomes," to children.

87. She does not "prey on" or "sexualize" children.

88. She is not a "child groomer."

89. Kleinman represents his statements to be statements of fact, not statements of opinion.

90. Even if he holds them as personal opinions, it remains that they are provably false.

Actual malice

91. Kleinman makes his statements about Jones with actual malice:

92. He knows his statements are false.

93. At a very minimum, he recklessly disregards whether they are false.

94. The notion that an elementary educator such as Jones would "prey on," "sexualize," and "groom" children, including by giving them highly age-inappropriate sexual material, is so inherently improbable that Kleinman must be malicious and at minimum reckless in posting it.

Injury

95. Kleinman's statements are injurious:

96. The representations that an elementary educator "preys on" and "sexualizes" children, including by giving them highly age-inappropriate sexual material, necessarily injures their personal and professional reputation.

97. There is no label more injurious to an elementary educator than "child groomer."

98. Kleinman's statements expose Jones to misplaced contempt and ridicule. He is liable for any damages caused by his defamation of Jones.

COUNT TWO: FALSE LIGHT

99. Jones realleges the foregoing facts as if stated fully here.

100. "A cause of action for 'false light' invasion of privacy arises from publicity which unreasonably places the plaintiff in a false light before the public. The publicity need not be defamatory in nature, but must be objectionable to a reasonable person under the circumstances and must contain either falsity or fiction." *Brunner v. Holloway*, 2017-0674 (La. App. 1 Cir. 11/2/17), 235 So. 3d 1153, 1161 (citation omitted).

101. Kleinman's statements unreasonably place Jones in a false light before the public. They are objectionable and false.

102. Kleinman is liable for any damages caused by his casting Jones in a false light.

DEMAND FOR JURY TRIAL

103. Jones respectfully demands a trial by jury.

PRAYER FOR RELIEF

104. Jones respectfully asks that, after due proceedings, the Court enter judgment against Kleinman awarding Jones compensatory damages in excess of \$75,000 in an amount to be proven at trial, plus interest, and any other relief to which she is entitled.

Respectfully submitted,

/s/ Kaja S. Elmer

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for Amanda Jones

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

Jones, Amanda

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
Kaja S. Elmer, Fishman Haygood LLP, 201 St. Charles Avenue, Suite
4600, New Orleans, LA 70170
(505) 556-5535

DEFENDANTS

Kleinman, Dan

County of Residence of First Listed Defendant Morris County, New Jersey
(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 | ☐ 1 | ☒ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☒ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 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
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☒ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 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. 1332

Brief description of cause: Defamation action

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
11/25/2024

SIGNATURE OF ATTORNEY OF RECORD

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.
- 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 cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.