

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

PLAINTIFF,

v.

\$1,810,490.34 SEIZED FROM
TOUCHMARK NATIONAL BANK
ACCOUNT NUMBER XXXXXX0855,
AND \$1,225,827.11 SEIZED FROM
BANK OF AMERICA ACCOUNT
NUMBER XXXXXX1840,

DEFENDANTS.

Civil Action No.

VERIFIED COMPLAINT FOR FORFEITURE

COMES NOW the United States of America, the Plaintiff in this action, and shows the Court the following in support of its Verified Complaint for Forfeiture:

NATURE OF THE ACTION

1. This is a civil forfeiture action against a total of \$3,036,317.45 (the Defendant Property) seized from two bank accounts held in the names of Hi-Tech Pharmaceuticals, Inc. and Diversified Biotech Inc. DBA Hi-Tech Pharmaceuticals.

2. As detailed below, the Defendant Property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) as property which constitutes and is derived from proceeds traceable to one or more specified unlawful activities as defined in 18 U.S.C. § 1956(c)(7), and a conspiracy to commit such offenses, including but not limited to violations of 18 U.S.C. §§ 1341, 1343, 1349, 1956, and 1957 and 21 U.S.C. §§ 841(a)(1), 846, 854, and 856.
3. The Defendant Property is also subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) as money and other things of value furnished and intended to be furnished by a person in exchange for a controlled substance in violation of Title 21, Subchapter I.
4. Finally, the Defendant Property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) as property involved in and traceable to one or more transactions or attempted transactions in violation of 18 U.S.C. §§ 1956 and 1957.

THE DEFENDANTS IN REM

5. The Defendant Property consists of the following money and funds:
 - a. \$1,810,490.34 (the Defendant \$1,810,490.34) that federal agents seized from the Touchmark National Bank account ending in 0855, held in

the name of Hi-Tech Pharmaceuticals, Inc. (the Touchmark Account) on October 4, 2017; and

- b. \$1,225,827.11 (the Defendant \$1,225,827.11) that federal agents seized from Bank of America account number ending in 1840, held in the name of Diversified Biotech Inc. DBA Hi-Tech Pharmaceuticals (the Bank of America Account) on October 4, 2017.
6. The Defendant Currency presently is located in this district in a secure account maintained by the U.S. Marshals Service.

JURISDICTION AND VENUE

7. This Court has jurisdiction over this case pursuant to 28 U.S.C. §§ 1345 and 1355.
8. Venue is proper in this Court pursuant to 28 U.S.C. § 1395.

FACTS SUPPORTING FORFEITURE

9. As described with more particularity below, this civil forfeiture action *in rem* arises in connection with a U.S. Food and Drug Administration Office of Criminal Investigations (FDA-OCI) investigation of Hi-Tech Pharmaceuticals, Inc.; Diversified Biotech Inc. DBA Hi-Tech Pharmaceuticals; Jared Wheat; John Brandon Schopp; and others, both

known and unknown, for mail fraud, wire fraud, introducing misbranded drugs into interstate commerce, manufacturing and distributing controlled substances, investment of illicit drug profits, money laundering, and conspiracies to commit all of the aforementioned offenses.

Relevant Persons and Entities

10. Hi-Tech Pharmaceuticals, Inc. (Hi-Tech), a Georgia corporation established in or about April 1998 and indicted in the Northern District of Georgia on or about September 28, 2017, in criminal action number 1:17-CR-0229-AT, is a United States Food and Drug Administration (FDA) registered food facility and online seller of dietary supplements and the named owner of the Touchmark Bank Account from which agents seized the Defendant \$1,810,490.34.
11. Jared Wheat (Wheat), also a subject of Northern District of Georgia Criminal Indictment number 1:17-0229-CR-AT, is a principal of Hi-Tech Pharmaceuticals and the person who incorporated that business.
12. Diversified Biotech Inc. dba Hi-Tech Pharmaceuticals (Diversified), also indicted in Northern District of Georgia Criminal Indictment number 1:17-

0229-CR-AT, is the account holder for the Bank of America Account from from which agents seized the Defendant \$1,225,827.1

13. John Brandon Schopp (Schopp), the final subject of Northern District of Georgia Criminal Indictment number 1:17-0229-CR-AT, is Diversified's president and an authorized signatory on the Bank of America account from which agents seized the Defendant \$1,225,827.11.
14. Touchmark National Bank is a financial institution whose activities affect interstate and foreign commerce.
15. Bank of America is likewise a financial institution whose activities affect interstate and foreign commerce.
16. The United Parcel Service (UPS) is a commercial interstate carrier who conducts business in interstate and foreign commerce.

The FDA's Role

17. FDA is the federal agency charged with the responsibility of protecting the health and safety of the American public by enforcing the Food Drug and Cosmetic Act ("FDCA"). One purpose of the FDCA is to ensure that foods sold for consumption by humans are safe to eat and bear labeling containing only true and accurate information.

18. FDA also ensures that drugs are safe and effective for their intended uses and bear labeling that contains true and accurate information.
19. The FDA's responsibilities under the FDCA include regulating the manufacture, labeling, and distribution of foods and drugs shipped or received in interstate commerce.
20. Under the FDCA, foods and drugs are deemed to be misbranded if their respective labeling is false or misleading in any particular. 21 U.S.C. §§ 343(a)(1) (foods) and 352(a) (drugs).
21. A drug is also misbranded if its labeling fails to bear adequate directions for use. 21 U.S.C. § 352(f)(1).
22. The FDCA prohibits doing and causing the following acts:
 - a. Introducing or delivering for introduction into interstate commerce any food and/or drug that is misbranded. 21 U.S.C. § 331(a); and
 - b. Doing an act to a food and/or drug after shipment in interstate commerce and while held for sale that results in the food and/or drug being misbranded. 21 U.S.C. § 331(k).
23. As described below, Hi-Tech violated these and other laws.

Hi-Tech's and Diversified's Business Infrastructure

24. Since its incorporation in Georgia, Hi-Tech and Diversified have conducted business operations both at physical locations in the Northern District of Georgia and on the internet.
25. Specifically, at various times relevant to this Complaint for Forfeiture, but beginning no later October 2007 and continuing through at least June of 2017, operations related to Hi-Tech's and Diversified's businesses were conducted at the following locations in the Northern District of Georgia:
 - a. 6015 Unity Drive, Suites A, B, D, and F, Norcross, GA 30071 (6015 Unity Drive);
 - b. 6020 Unity Drive, Suites D, E, F, G and H, Norcross, GA 30071 (6020 Unity Drive);
 - c. 6025 Unity Drive, Suite A, Norcross, GA 30071 (6025 Unity Drive);
 - d. 5440 Oakbrook Parkway, Suites A and B, Norcross, GA 30093 (Oakbrook Parkway);
 - e. 500 Satellite Boulevard, Suite B, Suwanee, GA 30024 (Satellite Boulevard); and
 - f. 1256 Oakbrook Drive, Suite A, Norcross, GA 30093 (Oakbrook Drive)(collectively, the Business Premises).

26. Hi-Tech has multiple Facility FDA Establishment Identifier (“FEI”) Numbers, that is, FDA-assigned numbers used to track inspections.
27. Hi-Tech used the below-described Business Premises for the purposes outlined below:
 - a. Suites B and D located at 6015 Unity Drive served as Hi-Tech’s administrative offices and manufacturing facility, respectively.
 - b. Suites F and G at 6020 Unity Drive served as an additional manufacturing facility for Hi-Tech.
 - c. Oakbrook Parkway served as a warehouse where Hi-Tech stored raw materials, finished products, bulk dietary supplements, packaging materials, and manufacturing machinery.
 - d. Satellite Boulevard served as a Hi-Tech facility for blending powder products and raw materials.
28. False, misbranded, and mislabeled controlled substances, including but not limited to Schedule III controlled substances, were among the products that Hi-Tech manufactured, stored, and distributed from the Business Premises.
29. In addition to the Business Premises, Hi-Tech also maintained an online presence.

30. That presence was located on at least one, if not more, internet web sites.
31. Between March 2016 and at least mid-2017, www.hitechpharma.com was a web site that Hi-Tech has used to promote the products that it manufactures, stores, and distributes, and to take orders from consumers.
32. False, misbranded, and mislabeled controlled substances, including but not limited to Schedule III controlled substances, were among the products that Hi-Tech offered for sale at www.hitechpharma.com.
33. Upon receiving an order from a customer, Hi-Tech's general practice was to gather the products necessary to fill that order from one or more of its Business Premises, package and address them, and ship them to its customer via United Parcel Service (UPS).
34. Between January 2015 and May 15, 2017, UPS picked up in excess of 60,000 packages from addresses controlled by and associated with Hi-Tech for shipment.
35. Discovery may yield evidence that Hi-Tech also used the United States mail or other commercial interstate carriers in addition to UPS to conduct business.
36. Hi-Tech offered two payment options to its customers – payment by credit card and COD payments collected at the time of delivery.

37. The Touchmark Account, an account that Wheat opened in or about May 2014, was at least one of the accounts into which funds traceable to Hi-Tech customers' credit card payments were deposited.
38. COD payments from Hi-Tech customer orders were also deposited into the Touchmark Account.

Specific Examples of Hi-Tech's Unlawful Sales of False, Mislabeled, and
Misbranded Controlled Substances

39. Although the United States expects discovery to show that Hi-Tech, Wheat, Diversified, Schopp, and others engaged in a widespread practice of manufacturing, marketing, and distributing false, mislabeled, and misbranded controlled substances in violation of U.S. law that may have begun as early as 1997 or 1998, the investigation has revealed evidence that such activity began no later than March 2016 and continued through at least September 14, 2017.
40. During that period, Hi-Tech offered its own lines of branded products for sale at www.hitechpharma.com under the category of "Testosterone & Prohormone Supplements"

41. Those products included 1-AD, 1-Testosterone, Androdiol, Equibolin, and Superdrol.
42. “Prohormone” supplements are marketed to promote muscle growth.
43. Prohormone supplements often contain non-dietary ingredients or Schedule III controlled substances, namely anabolic steroids.
44. The investigation has confirmed at least two sets of specific events believed to characterize the unlawful manner in which Hi-Tech, its principals, and related entities committed the crimes that led agents to seize the Defendant Property.
45. The first set of examples occurred in September 2016, when agents from FDA-OCI conducted undercover purchases of the aforementioned products from www.hitechpharma.com using undercover names and credit cards.
46. In connection with those purchases, Hi-Tech used at least one UPS account to ship products to fill the undercover purchase orders via UPS Ground delivery to FDA undercover addresses located in Florida and Georgia.
47. The shipper’s address shown on those packages was the 1256 Oakbrook Drive address, and each package contained a printed invoice from Hi-Tech bearing the 6015 Unity Drive address.

48. Moreover, undercover credit card statements showed Hi-Tech as the merchant originating the charges for the September 2016 undercover purchases.
49. Deposits from credit card merchant processors post to the Touchmark Account.
50. FDA-OCI submitted samples of the products that it received from the undercover purchases to its Forensic Chemistry Center (FCC) for chemical analysis.
51. That chemical analysis showed that the following Hi-Tech products contained Schedule III anabolic steroids as described below.

| <u>Product</u> | <u>Schedule III Anabolic Steroids</u> | <u>Alternate Name of Steroids</u> |
|------------------------------|---------------------------------------|---|
| 1-AD Lot # C736 | boldione; and androstenedione | androstadienedione and/or 1,4-androstadien-3,17-dione 5 α -androstan-3,17-dione |
| 1-Testosterone Lot # C737 | boldione; and androstanedione | androstadienedione and/or 1,4-androstadien-3,17-dione 5 α -androstan-3,17-dione |
| Androdiol | 4-androstenediol | 4-androsten-3 β , 17 β -diol |

| | | |
|-------------------------|--|--|
| Lot # C750 | and/or 5-androstenediol | 5-androsten-3 β -ol-17-one |
| Equibolin Lot # C689 | 4-androstenediol and/or 5-androstenediol | 4-androsten-3 β , 17 β -diol 5-androsten-3 β -ol-17-one |
| Superdrol Lot # C770 | Androstenedione | 5 α -androstan-3,17-dione |

52. The respective labeling for the 1-AD, 1-Testosterone, Androdiol, Equibolin, and Superdrol products received from the September 2016 undercover purchases failed to properly declare as ingredients the respective Schedule III anabolic steroids contained therein, as more fully detailed in the table above.
53. Accordingly, this false or misleading labeling rendered those products misbranded under the Federal Food, Drug, and Cosmetic Act, Title 21, United States Code, Sections 301-399f ("FDCA").
54. A second, illustrative example occurred in August of 2017.
55. Specifically, on or about August 7, 2017, an individual in North Carolina sent an email to Chad Jordan (Jordan), Hi-Tech's Regional Sales Manager, requesting information on Hi-Tech's prohormones.
56. Jordan responded to that inquiry on August 8, 2017, from chadj@hitechpharma.com, a Hi-Tech email address that Jordan controlled.

57. The August 8, 2017, response contained the following:
- a. A representation that “all” of the prohormones “are compliant and DHEA¹ compounds that bypass the liver so they are not toxic. 34.95 is your price on all of the prohormones under the hi tech line. 1-testosterone is the one I move the most and then Anavar is my second best seller.”
 - b. A dropbox link to Hi-Tech pricing lists for products and its family of brands.
 - c. Marketing material and labels for numerous products Hi-Tech distributes.
58. Thereafter, on August 14, 2017, the same prospective Hi-Tech customer sent a follow-up email to Jordan to inquire about payment options.
59. Jordan’s response, sent from the same Hi-Tech email address, explained that Hi-Tech offered “[T]wo options. We can do COD if you fill out the COD form. Or we can take a credit card for the order.”

¹ DHEA (dehydroepiandrosterone) is a hormone produced by human adrenal glands.

60. Thereafter, on August 15, 2017, the customer sent an email order to Jordan's address for five bottles each of the Hi-tech products 1-AD, Androliol, Equibolin, and Superdrol and requested COD payment.
61. On August 21, 2017, the customer received a package containing the requested product from Hi-Tech at an address in North Carolina.
62. That package showed the Oakbrook Drive address as the shipping address and contained an invoice bearing the 6015 Unity Drive address.
63. Thereafter, that individual paid for the Hi-Tech products using a check made payable to "Hi Tech Pharma".
64. On or about August 31, 2017, the check used to pay for the North Carolina shipment was deposited into the Touchmark Account, the account from which agents seized the Defendant \$1,810,490.34
65. FDA submitted samples of the products delivered to North Carolina to the FCC for chemical analysis.
66. That chemical analysis showed that the following Hi-Tech products contained Schedule III anabolic steroids as described below.

| <u>Product</u> | <u>Schedule III Anabolic Steroids</u> | <u>Alternate Name of Steroids</u> |
|----------------|---------------------------------------|--|
| 1-AD | 4-androstenediol | 4-androsten-3 β , 17 β -diol |

| | | |
|-------------------------|---|---|
| Lot # C921 | and/or 5-androstenediol | 5-androsten-3 β -ol-17-one |
| Androdiol Lot #C681 | 4-androstenediol and/or 5-androstenediol | 4-androsten-3 β , 17 β -diol 5-androsten-3 β -ol-17-one |
| Equibolin Lot # C841 | 4-androstenediol and/or 5-androstenediol | 4-androsten-3 β , 17 β -diol 5-androsten-3 β -ol-17-one |
| Superdrol Lot # C857 | androstanedione; 4-androstenediol and/or 5-androstenediol; and Boldione | 5 α -androstan-3,17-dione 4-androsten-3 β , 17 β -diol 5-androsten-3 β -ol-17-one androstadienedione and/or 1,4-androstadien-3,17- dione |

67. The respective labeling for the 1-AD, Androdiol, Equibolin, and Superdrol products shipped to North Carolina failed to properly declare as ingredients the respective Schedule III anabolic steroids contained therein, as more fully detailed in the table above.
68. Accordingly, this false or misleading labeling rendered those products misbranded under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 301-399f ("FDCA").

69. The United States expects discovery in this case to yield additional evidence to support claims that Hi-Tech, Wheat, and others have engaged in countless, similar acts of manufacturing and selling false, mislabeled, and misbranded controlled substances, as well as additional uses of the United States mail, commercial interstate carriers, and wire communications to execute their schemes and artifices to defraud during the course of Hi-Tech's existence that may have commenced as early as 1998.
70. Moreover, the United States expects discovery to yield evidence that Hi-Tech, Wheat, Diversified, Schopp, and others thereafter invested profits from the above-referenced violations of Title 21, Chapter I.

Money Laundering

71. After proceeds of Hi-Tech's manufacturing, marketing, and distributing false, mislabeled, and misbranded controlled substances in violation of U.S. law were deposited into the Touchmark Account, Hi-Tech, Wheat, Diversified, Schopp, and others engaged in financial and monetary transactions that laundered those funds.

72. Those money laundering transactions included transactions in which Hi-Tech regularly issued checks drawn on the Touchmark account that were thereafter deposited into the Bank of America Account.
73. For instance, between January 2016 and June 2017, a total of approximately \$7,520,000 in checks drawn on the Touchmark Account were deposited into the Bank of America Account.
74. Moreover, after tainted funds from the Touchmark Account arrived in the Bank of America account, members of the conspiracies at issue in this case used tainted funds to pay various expenses that promoted the specified unlawful activity.
75. For instance, between January 2016 and August 2017, Hi-Tech, Diversified, Wheat, and Schopp, either personally, or aided and abetted by one another, engaged in additional financial and monetary transactions using tainted funds from the Bank of America account and to pay rents on one or more of the Business Premises where Hi-Tech's unlawful manufacturing and distribution activities occurred.
76. The United States expects that discovery will yield evidence that some of the transactions of funds from both the Touchmark Account and the Bank of

America Account involved more than \$10,000 in specified unlawful activity proceeds.

77. Moreover, the United States expects that discovery will also identify additional evidence that Hi-Tech, Diversified, Wheat, and Schopp engaged in additional financial transactions between approximately 1998 and continuing into the present that promoted specified unlawful activity and additional monetary transactions in amounts of more than \$10,000 in tainted funds, including but not limited to paying rents, payroll, contract labor, packaging materials and supplies, shipping charges, and other costs that promoted the specified unlawful activity using tainted funds from the Touchmark Account, the Bank of America Account, and possibly other accounts.
78. Finally, the United States expects that discovery will yield evidence that funds representing income from investment of profits from Hi-Tech's, Wheat's, Diversified's, and Schopp's violations of Title 21, United States Code, were among the Defendant Property.

WHEREFORE, the United States prays that:

- 1) The Court forfeit the Defendant Property to the United States of America;

- 2) The Court award Plaintiff the costs of this action; and
- 3) The Court grant such other relief as the Court deems just and proper under the facts and circumstances of this case.

This 6th day of November, 2017.

Respectfully submitted,

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/s/KELLY CONNORS
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

PLAINTIFF,

v.

\$1,810,490.34 SEIZED FROM
TOUCHMARK NATIONAL BANK
ACCOUNT NUMBER XXXXXX0855,
AND \$1,225,827.11 SEIZED FROM
BANK OF AMERICA ACCOUNT
NUMBER XXXXXX1840,

DEFENDANTS.

Civil Action No.

VERIFICATION OF COMPLAINT FOR FORFEITURE

I, Special Agent Gerald Dunham, have read the Complaint for Forfeiture in this action and state that its contents are true and correct to the best of my knowledge and belief.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

This 6th day of November, 2017.



SPECIAL AGENT GERALD DUNHAM,
FOOD AND DRUG ADMINISTRATION - OFFICE
OF CRIMINAL INVESTIGATIONS

JS44 (Rev. 1/08 NDGA)

CIVIL COVER SHEET

The JS44 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 is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

I. (a) PLAINTIFF(S)

United States of America

DEFENDANT(S)

\$1,810,490.34 seized from Touchmark National Bank account, et al.

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____
(EXCEPT IN U.S. PLAINTIFF CASES)

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

(c) ATTORNEYS (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

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ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION
(PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. GOVERNMENT PLAINTIFF
- 2 U.S. GOVERNMENT DEFENDANT
- 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY)
- 4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III)

III. CITIZENSHIP OF PRINCIPAL PARTIES
(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)
(FOR DIVERSITY CASES ONLY)

- | | | | | | |
|----------------------------|----------------------------|---|----------------------------|----------------------------|---|
| PLF | DEF | | PLF | DEF | |
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | CITIZEN OF THIS STATE | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | CITIZEN OF ANOTHER STATE | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | FOREIGN NATION |

IV. 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 District)
- 6 MULTIDISTRICT LITIGATION
- 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT

V. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Asset forfeiture action pursuant to 18 U.S.C. Section 981(a)(1)(C), 21 U.S.C. Section 881(a)(6) and 18 U.S.C. Section 981(a)(1)(A).

(IF COMPLEX, CHECK REASON BELOW)

- 1. Unusually large number of parties.
- 2. Unusually large number of claims or defenses.
- 3. Factual issues are exceptionally complex
- 4. Greater than normal volume of evidence.
- 5. Extended discovery period is needed.
- 6. Problems locating or preserving evidence
- 7. Pending parallel investigations or actions by government.
- 8. Multiple use of experts.
- 9. Need for discovery outside United States boundaries.
- 10. Existence of highly technical issues and proof.

CONTINUED ON REVERSE

FOR OFFICE USE ONLY

RECEIVED _____ AMOUNT \$ _____ APPLYING BY _____ MAG. JUDGE (PP) _____

JUDGE _____ MAG. JUDGE _____ NATURE OF SUIT _____ CAUSE OF ACTION _____

VI. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT - "0" MONTHS DISCOVERY TRACK'

- 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

- 110 INSURANCE
- 120 MARINE
- 130 MILLER ACT
- 140 NEGOTIABLE INSTRUMENT
- 151 MEDICARE ACT
- 160 STOCKHOLDERS' SUITS
- 190 OTHER CONTRACT
- 195 CONTRACT PRODUCT LIABILITY
- 196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 210 LAND CONDEMNATION
- 220 FORECLOSURE
- 230 RENT LEASE & EJECTMENT
- 240 TORTS TO LAND
- 245 TORT PRODUCT LIABILITY
- 290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

- 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
- 365 PERSONAL INJURY - PRODUCT LIABILITY
- 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 370 OTHER FRAUD
- 371 TRUTH IN LENDING
- 380 OTHER PERSONAL PROPERTY DAMAGE
- 385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

- 422 APPEAL 28 USC 158
- 423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

- 441 VOTING
- 442 EMPLOYMENT
- 443 HOUSING/ ACCOMMODATIONS
- 444 WELFARE
- 440 OTHER CIVIL RIGHTS
- 445 AMERICANS with DISABILITIES - Employment
- 446 AMERICANS with DISABILITIES - Other

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

- 462 NATURALIZATION APPLICATION
- 463 HABEAS CORPUS- Alien Detainee
- 465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

- 510 MOTIONS TO VACATE SENTENCE
- 530 HABEAS CORPUS
- 535 HABEAS CORPUS DEATH PENALTY
- 540 MANDAMUS & OTHER
- 550 CIVIL RIGHTS - Filed Pro se
- 555 PRISON CONDITION(S) - Filed Pro se

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

- 550 CIVIL RIGHTS - Filed by Counsel
- 555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

- 610 AGRICULTURE
- 620 FOOD & DRUG
- 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- 630 LIQUOR LAWS
- 640 R.R. & TRUCK
- 650 AIRLINE REGS.
- 660 OCCUPATIONAL SAFETY / HEALTH
- 690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

- 710 FAIR LABOR STANDARDS ACT
- 720 LABOR/MGMT. RELATIONS
- 730 LABOR/MGMT. REPORTING & DISCLOSURE ACT
- 740 RAILWAY LABOR ACT
- 790 OTHER LABOR LITIGATION
- 791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

- 820 COPYRIGHTS
- 840 TRADEMARK

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

- 830 PATENT

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

- 861 HIA (1395ff)
- 862 BLACK LUNG (923)
- 863 DIWC (405(g))
- 863 DIWW (405(g))
- 864 SSID TITLE XVI
- 865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

- 870 TAXES (U.S. Plaintiff or Defendant)
- 871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

- 400 STATE REAPPORTIONMENT
- 430 BANKS AND BANKING
- 450 COMMERCE/ICC RATES/ETC.
- 460 DEPORTATION
- 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- 480 CONSUMER CREDIT
- 490 CABLE/SATELLITE TV
- 810 SELECTIVE SERVICE
- 875 CUSTOMER CHALLENGE 12 USC 3410
- 891 AGRICULTURAL ACTS
- 892 ECONOMIC STABILIZATION ACT
- 893 ENVIRONMENTAL MATTERS
- 894 ENERGY ALLOCATION ACT
- 895 FREEDOM OF INFORMATION ACT
- 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
- 950 CONSTITUTIONALITY OF STATE STATUTES
- 890 OTHER STATUTORY ACTIONS

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

- 410 ANTITRUST
- 850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

- ARBITRATION (Confirm / Vacate / Order / Modify)

(Note: Mark underlying Nature of Suit as well)

*** PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

VII. REQUESTED IN COMPLAINT:

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ _____

JURY DEMAND YES NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

VIII. RELATED/REFILED CASE(S) IF ANY

JUDGE _____ DOCKET NO. _____

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
- 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
- 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. _____, WHICH WAS DISMISSED. This case IS IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

[Handwritten Signature]
SIGNATURE OF ATTORNEY OF RECORD

November 6, 2017

DATE