

4. Sheffield Development is in the business of investing in and/or developing real estate and acting as a member of Golden Canyon Partners, LLC.

5. Golden Canyon Partners, LLC ("Golden Canyon") is a Nevada limited liability company. Golden Canyon's members are Sheffield Development and Obadiah Development Group, Inc. ("Obadiah"). Obadiah is a Florida corporation with its principal place of business in Florida. Golden Canyon is a citizen of Illinois and Florida pursuant to 28 U.S.C. § 1332(c).

6. Golden Canyon is in the business of developing a certain tract of property in Oklahoma and pursuing gaming opportunities.

7. Florence Development Partners LLC ("Florence Development") is an Oklahoma limited liability company. Florence Development's members are Golden Canyon, Marcella Giles and Wynema Capps. Marcella Giles and Wynema Capps are both citizens of Oklahoma. Florence Development is a citizen of Illinois, Florida and Oklahoma pursuant to 28 U.S.C. § 1332(c).

8. Florence Development is in the business of developing and operating gaming facilities in Oklahoma.

9. Dickinson Wright, PLLC ("Dickinson Wright") is a Michigan professional limited liability company with its principal offices in Michigan. Dickinson Wright also has offices in Arizona, Nevada, Ohio, Tennessee, Washington, D.C. and Toronto, Canada. Based on information and belief, the states of citizenship for Dickinson Wright's members are as listed on Exhibit A ("Dickinson Wright PLLC – Member Listing"), and include Arizona, Michigan, Nevada, Ohio, Tennessee and the District of Columbia. Dickinson Wright is a citizen of Arizona, Michigan, Nevada, Ohio, Tennessee and the District of Columbia pursuant to 28 U.S.C. § 1332(c).

10. Dickinson Wright is a law firm with nearly 300 attorneys and is in the business of providing legal services throughout the United States, including in the Northern District of Illinois.

11. Based on information and belief, Dennis J. Whittlesey is an individual who is a citizen of Washington, D.C.

12. Dennis J. Whittlesey is a licensed attorney who represents clients and appears in tribunals throughout the United States, including in the Northern District of Illinois. At all relevant times, Dennis J. Whittlesey was and is a member and duly authorized agent of Dickinson Wright.

JURISDICTION AND VENUE

13. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §1332, as this action contains parties of diverse states and an amount in controversy exceeding \$75,000, exclusive of interest and costs of this litigation.

14. Venue is appropriate in this District pursuant to 28 U.S.C. §1391(b) because the underlying contract for legal services was formed in the Northern District of Illinois, the relevant legal advice was delivered in the Northern District of Illinois, decisions in reliance of the legal advice were made in the Northern District of Illinois, invoices for legal services were delivered in the Northern District of Illinois and damages were sustained in the Northern District of Illinois.

PROFESSIONAL NEGLIGENCE

15. On or about December 1, 2009, Dickinson Wright and Dennis J. Whittlesey (collectively "Defendants") engaged MCZ as a client regarding the development of an Indian casino gaming project in Oklahoma (the "Project").

16. Between December 1, 2009 and September 21, 2011, the scope of Defendants' representation evolved to a point where they agreed to and did provide legal services to not only MCZ, but also Sheffield Development, Golden Canyon and Florence Development, regarding the Project. Defendants knew of and agreed to this broadened scope of their representation.

17. At all relevant times herein, Defendants held themselves out to Plaintiffs as experienced, professional and competent attorneys to handle the various legal needs of Plaintiffs in relation to the Project.

18. As part of the engagement, Defendants agreed to and did provide professional legal advice and services to Plaintiffs which included, but were not limited to, assessing the legal and regulatory requirements for pursuing gaming at the site, advising on the legal and regulatory requirements, drafting legal documents, meeting with regulators, pursuing legal and regulatory approval of the Project and advising Plaintiffs with respect to the development of the gaming site.

19. At all relevant times, Defendants knew Plaintiffs were relying on the opinions and advice of Defendants to decide whether and when to make monetary investments and expenditures to begin developing the site for the purposes of casino gaming.

20. At all relevant times, Defendants knew that Plaintiffs would be expending significant amounts of money in reliance on Defendant's advice.

21. From December 2009 through September 21, 2011, Defendants assisted and advised Plaintiffs by organizing and structuring limited liability company vehicles, preparing and/or reviewing leases, joint venture agreements, preparing legal opinions and memoranda and other documents and filings that would enable Plaintiffs and the tribal gaming commission

involved in the Project (collectively, with all relevant tribal authorities, the “Tribe”) to develop, finance, and operate the Project.

22. On May 4, 2011, Plaintiffs inquired of Defendants the nature of any issues which might preclude the proposed gaming project from successfully moving forward. Defendants responded by assuring Plaintiffs that they believed any issues in this regard would be resolved in Plaintiffs’ favor, and that negative rulings by the relevant federal agencies would not prevent the proposed casino from opening and operating. Defendants further advised that even a legal challenge in court would not result in an injunction being entered during the course of the litigation.

23. On or about August 17, 2011, the Tribe issued a gaming license to Florence for the Project. At that time, Defendants advised Plaintiffs that Florence had the right to conduct Class II and Class III gaming at the Project without the requirement of any further governmental approvals or permits.

24. On September 22, 2011, Defendants issued a written opinion letter to Plaintiffs which stated that Defendants “have formed the opinion that the August 17, 2011 gaming licensure concluded the applicable regulatory process and Class II and Class III gaming may now be conducted” at the casino.

25. At various times prior to commencement of construction activities Defendants advised Plaintiffs that there could not be any legal challenge to the license by a non-tribal party.

26. Having received these representations and assurances from Defendants, and in reliance on these representations and assurances from Defendants, Plaintiffs hired personnel, entered construction, equipment, consulting and other contracts, commenced construction activities on site, and began expending significant amounts of money on the development,

equipping, staffing and construction of the casino gaming facility. Relying on these representations and assurances, Plaintiffs also incurred significant loan obligations to fund the Project.

27. At all relevant times, Defendants knew Plaintiffs were expending funds in reliance on Defendants' representations and assurances.

28. Prior to December 9, 2011, Defendants knew that the NIGC was also going to assess the adequacy of tribal jurisdiction over the casino gaming site. However, at all times prior to December 9, 2011, Defendants repeatedly assured Plaintiffs that the necessary jurisdiction existed, and that even a negative decision on jurisdiction would not prevent Plaintiffs from opening and operating a casino.

29. Relying on these repeated representations and reassurances from Defendants, Plaintiffs continued to expend significant funds and undertake significant loan obligations to develop and construct the casino gaming facility.

30. On January 6, 2012, Defendants advised Plaintiffs that Oklahoma's Attorney General was interested in reviewing Defendants' opinion regarding the adequacy of tribal jurisdiction. At that time, Defendants assured Plaintiffs that nothing more was required for the Attorney General to conclude that the appropriate tribal jurisdiction existed. At no time did Defendants advise Plaintiffs that the Oklahoma Attorney General could take legal actions to stop the development and construction of the Project or otherwise prevent Plaintiffs from opening and operating the casino.

31. On February 8, 2012, the State of Oklahoma filed a complaint against Florence Development and others claiming that the requisite tribal jurisdiction and governmental power over the casino gaming site did not exist. The State of Oklahoma sought the following relief: 1)

a declaration by the Court that the defendants in that case lack the authority to construct or operate a gaming facility; 2) a declaration by the Court that the requisite jurisdiction and governmental powers to construct or operate gaming do not exist; 3) a preliminary injunction enjoining the defendants from constructing or operating a gaming facility; and 4) a permanent injunction enjoining the defendants from constructing or operating a gaming facility.

32. On May 18, 2012, the Court made an oral pronouncement granting the State of Oklahoma's motion for a preliminary injunction and enjoining the defendants from developing, constructing and operating a gaming facility at the site.

33. On May 25, 2012, the NIGC issued a memorandum concluding that the requisite tribal jurisdiction over the gaming site does not exist.

34. On July 20, 2012, the Court entered a written order finding that the construction and operation of the gaming facility violates federal law, and preliminarily enjoining the development, construction and operation of a gaming facility.

35. On August 20, 2012, the defendants in that case filed a notice of appeal. The appeal of the preliminary injunction is currently pending.

36. After the lawsuit was filed by the State of Oklahoma, and throughout the course of that litigation, Defendants repeatedly reassured Plaintiffs that their legal position was sound, that they would prevail in the lawsuit and that the development and construction of the casino gaming facility should continue.

37. Relying on these repeated representations and reassurances from Defendants, Plaintiffs continued to expend significant funds and undertook significant loan obligations to develop and construct the casino gaming facility up until the entry of the preliminary injunction.

38. Throughout the course of their representation of Plaintiffs, Defendants owed them a fiduciary duty, owed a duty to possess and apply the knowledge, skill and care ordinarily used by reasonably well-qualified attorneys, and owed a duty to represent and advise Plaintiffs in a non-negligent, responsible, and competent fashion.

39. Notwithstanding the aforementioned duties owed by Defendants to Plaintiffs, Defendants' actions fell below the standard of care, and Defendants breached a duty owed to Plaintiffs by committing one or more of the following negligent acts and/or omissions:

- a. Failing to advise Plaintiffs of the potential legal actions that could be taken to block the development, construction and/or operation of the gaming facility;
- b. Negligently advising Plaintiffs that Class II and Class III gaming could be conducted at the casino site;
- c. Negligently advising Plaintiffs that the requisite tribal jurisdiction existed;
- d. Negligently advising Plaintiffs that nothing more was required for the Attorney General to conclude that the appropriate tribal jurisdiction existed;
- e. Negligently advising Plaintiffs that a negative decision on jurisdiction would not prevent Plaintiffs from opening and operating a casino;
- f. Failing to advise Plaintiffs to delay the expenditure of significant monies and the undertaking of debt until challenges to the Project were resolved;
- g. Failing to advise Plaintiffs to delay the expenditure of significant monies and undertaking of debt until challenges to tribal jurisdiction were resolved;
- h. Negligently providing Plaintiffs with repeated assurances that the State of Oklahoma would be unsuccessful in its lawsuit seeking to enjoin the development, construction and operation of the gaming facility; and
- i. Failing to adequately advise Plaintiffs of the potential risks of moving forward with the development and construction of the gaming facility.

40. As a direct and proximate result of Defendants' breach of a duty owed to Plaintiffs, Plaintiffs sustained and continue to sustain damages which include the following: (1) the loss of money expended in developing and constructing the gaming facility before they were enjoined from doing so; (2) the loss of money associated with the loan obligations they undertook in developing and constructing the gaming facility; and (3) the fees and expenses they incurred in association with defending the lawsuit initiated by the State of Oklahoma and appealing the District Court's ruling.

WHEREFORE, Plaintiffs request that this Court award damages in an amount in excess of the jurisdictional requirements of this Court. Plaintiffs further request any costs, interest and attorneys' fees available to them in relation to this action, together with any such additional relief this Court deems just and proper. Plaintiffs request a trial by jury.

Dated: September 6, 2013

Respectfully submitted,

PLAINTIFFS

By: /s/ Bary L. Gassman

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BCS/CD 2700P (10/12)

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PROFESSIONAL LIMITED LIABILITY COMPANY
ANNUAL REPORT AND ANNUAL STATEMENT**2013**Due February 15, 2013 File Online at www.michigan.gov/fileonline

Identification Number B17482	Limited Liability Company name DICKINSON WRIGHT PLLC			
1. Resident agent name and mailing address of the registered office SCOTT M JANSSEN 2600 W BIG BEAVER RD STE 300 TROY MI 48084				
If different from 1, change resident agent and mailing address of registered office in MICHIGAN. <div style="text-align: center;"> RECEIVED \$75 FEB 19 2013 LARA </div>				
2. The address of the registered office 2600 W BIG BEAVER RD STE 300 TROY MI 48084	If different from 2, change address of registered office (number, street, city, state, zip) in MICHIGAN.			
3. Required: List names and complete addresses of all members and managers. Include additional sheets if necessary. DO NOT STAPLE.				
Name	Street Address	City	State	Zip Code
SEE ATTACHED				
Name	Street Address	City	State	Zip Code
Name	Street Address	City	State	Zip Code
Name	Street Address	City	State	Zip Code
I certify that each member and manager is a licensed person in one or more of the professional services rendered by the company and that any member or manager not licensed or otherwise legally authorized to render professional services in this state does not render professional services in this state.				
4. Signature of authorized member, manager or agent.	Title	Date	Phone (Optional)	
<i>Monica J. Lake</i>	<i>Deputy CEO</i>	<i>2/13/13</i>		

Filing Fee: \$75.00

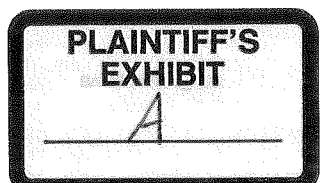
Annual Report and Statement due February 15, 2013.

If received by agency after February 15, 2013 total fee is \$125.00.

Annual Report & Statement Must Be Signed**Domestic:** Signature of a manager if management is vested in managers, by at least 1 member if management remains in the members or by an authorized agent of the domestic limited liability company.**Foreign:** Signature of a person with authority to do so under the laws of the foreign limited liability company's jurisdiction of organization.
 Return to: Department of Licensing and Regulatory Affairs
 Bureau of Commercial Services
 Corporation Division
 P.O. Box 30768
 Lansing MI 48909

Make your check or money order payable to the State of Michigan. Include payment with completed annual report and statement in the same envelope.

Required by Section 207 and 909, Act 23, Public Acts of 1993.



DICKINSON WRIGHT PLLC - MEMBER LISTING

MEMBER NAME	STREET ADDRESS	CITY	STATE	ZIP CODE
MICHELLE L. ALAMO	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
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ROGER H. CUMMINGS	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
STEPHEN E. DAWSON	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
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SHARON R. NEWLON	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
ZAN M. NICOLLI	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
JOHN C. NISHI	350 S. MAIN STREET SUITE 300	ANN ARBOR	MI	48104
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EDWARD P. PERDUE	200 OTTAWA AVENUE, N.W. SUITE 1000	GRAND RAPIDS	MI	49503
JOHN M. PERKINS	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
JAMES B. PERRY	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
ROBERT V. PETERSON	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
CRAIG A. PHILLIPS	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
MICHAEL J. PLATI	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
JAMES A. PLEMMONS	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
MARLENE A. PONTRELLI	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
MARY N. PRICE	424 CHURCH STREET SUITE 1401	NASHVILLE	TN	37219
CHARLES S. PRICE	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
ANDREW L. PRINGLE	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
DANIEL D. QUICK	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
LES S. RAATZ	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
MICHAEL T. RAYMOND	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
JONATHAN REDWAY	1875 EYE ST. N.W., SUITE 1200	WASHINGTON	DC	20006
PHILIP E. RETTIG	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
ROBERT F. RHOADES	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
LEONCE A. RICHARD	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
STEPHEN E. RICHMAN	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
JAMES S. RIGBERG	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
HARLAN W. ROBINS	150 E. GAY STREET SUITE 2400	COLUMBUS	OH	43215
MICHAEL S. RUBIN	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
KIMBERLY J. RUPPEL	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084

DICKINSON WRIGHT PLLC - MEMBER LISTING

<u>MEMBER NAME</u>	<u>STREET ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP CODE</u>
JAMES A. SAMBORN	350 S. MAIN STREET SUITE 300	ANN ARBOR	MI	48104
BARRY R. SANDERS	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
JODI MUNN SCHEBEL	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
MICHAEL R. SCHEURICH	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
JOHN T. SCHURING	200 OTTAWA AVENUE, N.W. SUITE 1000	GRAND RAPIDS	MI	49503
ROBERT L. SCHWARTZ	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
W. STUART SCOTT	424 CHURCH STREET SUITE 1401	NASHVILLE	TN	37219
PETER S. SHELDON	215 S. WASHINGTON SQUARE SUITE 200	LANSING	MI	48933
COLLEEN M. SHEVNOCK	350 S. MAIN STREET SUITE 300	ANN ARBOR	MI	48104
WILLIAM P. SHIELD JR.	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
RANDALL L. SHOEMAKER	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
ROBERT A. SHULL	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
DAWN FAXON SINGER	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
JOAN CRIPE SKRZYNIARZ	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
KESTER K. SO	215 S. WASHINGTON SQUARE SUITE 200	LANSING	MI	48933
JAMES P. SPICA	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
ROBERT L. STEARNS	4800 FASHION SQUARE BLVD SUITE 300	SAGINAW	MI	48604
ROBERT W. STOCKER II	215 S. WASHINGTON SQUARE SUITE 200	LANSING	MI	48933
TIMOTHY A. STOEPKER	200 OTTAWA AVENUE, N.W. SUITE 1000	GRAND RAPIDS	MI	49503
LARRY J. STRINGER	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
JEFFERY V. STUCKEY	215 S. WASHINGTON SQUARE SUITE 200	LANSING	MI	48933
THEODORE B. SYLWESTRZAK	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
SHERRY D. O. TAYLOR	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
WILLIAM M. THACKER	350 S. MAIN STREET SUITE 300	ANN ARBOR	MI	48104
BRUCE C. THELEN	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
TIMOTHY J. THOMASON	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
DAVID I. THOMPSON	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
ANNE L. TIFFEN	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
DENISE H. TROY	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
WENDY R. UNDERWOOD	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
MICHAEL G. VARTANIAN	350 S. MAIN STREET SUITE 300	ANN ARBOR	MI	48104
PETER H. WEBSTER	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
RHONDA D. WELBURN	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
RICHARD A. WENDT	200 OTTAWA AVENUE, N.W. SUITE 1000	GRAND RAPIDS	MI	49503
DARRELL L. WEST	424 CHURCH STREET SUITE 1401	NASHVILLE	TN	37219
DENNIS J. WHITTLESEY	1875 EYE ST. N.W., SUITE 1200	WASHINGTON	DC	20006
RICHARD A. WILHELM	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
J. BRYAN WILLIAMS	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
MARK E. WILSON	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
LAURENCE E. WINOKUR	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
STEVEN D. WOLFSON	2901 NORTH CENTRAL AVENUE SUITE 200	PHOENIX	AZ	85012
KATHRYN S. WOOD	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
JOHN D. WRIGHT	4800 FASHION SQUARE BLVD SUITE 300	SAGINAW	MI	48604
BRADLEY J. WYATT	350 S. MAIN STREET SUITE 300	ANN ARBOR	MI	48104
PAUL M. WYZGOSKI	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
THOMAS V. YATES	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
KATHERYNE L. ZELENOCK	2600 WEST BIG BEAVER RD. SUITE 300	TROY	MI	48084
L. PAHL ZINN	500 WOODWARD AVE, SUITE 4000	DETROIT	MI	48226
MARTIN D. HOLMES	424 CHURCH STREET SUITE 1401	NASHVILLE	TN	37219

JS 44 (Rev. 3/13)

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

MCZ Development Corp., Sheffield Development Partners, LLC.,
Golden Canyon Partners, LLC & Florence Development Partners, LLC,

(b) County of Residence of First Listed Plaintiff Cook, Illinois
(EXCEPT IN U.S. PLAINTIFF CASES)

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

Asperger Associates LLC
180 N. Michigan, Suite 3050
Chicago, IL 60601
312-856-9901

DEFENDANTS

Dickinson Wright, PLLC and Dennis J. Whittlesey,

County of Residence of First Listed Defendant Oakland, Michigan

(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

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

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

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)

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 Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input checked="" 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 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"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <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"/> 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"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
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 <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <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

VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)

28 U.S.C. 1332; Legal malpractice

VII. Previous Bankruptcy Matters (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this Court. Use a separate attachment if necessary.)**VIII. REQUESTED IN COMPLAINT:** ☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

over \$75,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

IX. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

X. This case (check one box) ☐ Is not a refiling of a previously dismissed action

☐ is a refiling of case number _____ previously dismissed by Judge _____

DATE September 6, 2013

SIGNATURE OF ATTORNEY OF RECORD

/s/Bary L. Gassman