

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

IAN CUYPERS,)	
)	
Plaintiff,)	Case No. 24-cv-743
)	
v.)	
)	
SUPERIOR POLICE DEPARTMENT)	
OFFICERS JUSTIN TAYLOR, TAYLOR)	
GAARD, SGT. MATTHEW BROWN, and)	
CITY OF SUPERIOR,)	
)	
Defendants.)	JURY DEMAND

COMPLAINT

Plaintiff IAN CUYPERS, by and through his attorneys, the PEOPLE’S LAW OFFICE, for his Complaint against Defendants Superior Police Department Officers JUSTIN TAYLOR, TAYLOR GAARD, SGT. MATTHEW BROWN, and CITY OF SUPERIOR, states as follows:

INTRODUCTION

1. On February 28, 2024, an ordinary night driving for DoorDash turned into a nightmare for Plaintiff Ian Cuypers when Superior Police Department officers unnecessarily escalated a routine traffic stop until an officer tased Plaintiff, who was unarmed, non-threatening, and attempting to comply with the officers’ commands. The encounter caused Plaintiff excruciating pain and profound terror, and because multiple officers needlessly pointed their guns at him, he feared that he would be killed. Numerous Superior Police Department Officers were standing nearby, yet did nothing to stop the attack, and instead joked around afterward. Defendant Officer Justin Taylor attempted to cover up the officers’ wrongdoing by charging Plaintiff for obstructing a police officer without probable cause to do so, causing Plaintiff to endure the further suffering of an unjustified criminal prosecution.

2. Plaintiff files this civil rights action to bring the Defendants' misconduct to light, to hold the Defendants accountable for their actions, and to seek justice for the injuries he suffered.

JURISDICTION AND VENUE

3. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343(a). This Court has supplemental jurisdiction under 28 U.S.C. § 1367(a) over claims arising under Wisconsin state law.

4. Venue is proper in this district under 28 U.S.C. § 1391(b) because the events giving rise to the claims asserted in this complaint occurred in this judicial district.

PARTIES

5. Plaintiff Ian Cuypers is a 22-year-old man who currently resides in Denver, Colorado.

6. Defendants Justin Taylor, Taylor Gaard, and Sgt. Matthew Brown, at all times relevant to this action, were Superior Police Department (SPD) officers employed by the City of Superior. They are being sued in their individual capacities.

7. These Defendants, at all times relevant to this action, were acting under color of law, were carrying out their duties as SPD officers, and were acting within the scope of their employment with the City of Superior.

8. Defendant City of Superior is a Wisconsin municipal corporation and is required to pay any tort judgment for damages for which its employees are liable for acts within the scope of their employment.

FACTUAL ALLEGATIONS

9. On February 24, 2024 around 10:15 PM, Plaintiff Ian Cuypers was delivering food for DoorDash in an area of Superior, Wisconsin, he was unfamiliar with when he accidentally made a wrong turn down a one-way street and was pulled over by Defendant Justin Taylor, a probationary SPD officer who had finished field training just two days prior.

10. Plaintiff immediately pulled over and began searching for his insurance paperwork in his glove compartment.

11. Defendant Taylor called for backup.

12. Within minutes, Defendant Officers Taylor Gaard and Sgt. Matthew Brown, and non-defendant officers Jason Moen and Dylan Crist, arrived on the scene.

13. Defendants Taylor, Gaard, and Brown all drew their firearms and pointed them at Plaintiff's vehicle, despite lacking any basis to believe that Plaintiff was armed or posed a threat or that he had committed anything more than a minor traffic violation.

14. Defendant Taylor ordered Plaintiff to exit his car, and Plaintiff complied.

15. Multiple officers began shouting instructions at Plaintiff.

16. Plaintiff attempted to comply with the officers' commands, but because multiple officers were shouting, the commands were confusing and difficult for Plaintiff to understand and obey.

17. Plaintiff was also confused and scared because he did not know what was going on or why the officers were behaving so aggressively, and, although he could not see clearly, he suspected that the officers were pointing guns at him.

18. Plaintiff nevertheless complied with Defendants' orders to back towards them with his hands over his head.

19. At some point, Defendant Brown ordered Plaintiff to get down on his left knee.

20. Plaintiff, confused and scared, asked for an explanation of what was going on, but Defendants refused to explain.

21. Instead, Defendant Gaard threatened Plaintiff, yelling, “Do it now, or you’re going to get tased!”

22. Seconds later, before Plaintiff had an opportunity to comply, Defendant Gaard fired her taser at Plaintiff twice, striking him in his back and legs.

23. Plaintiff experienced the worst pain he had ever felt in his life, screamed in agony, and collapsed to the ground, striking his chin on the pavement.

24. As multiple officers swarmed in to handcuff him, Plaintiff sobbed and said “I want to go home” and “I’m going to die here.”

25. While Plaintiff was incapacitated on the ground, in the process of being handcuffed, Defendant Gaard threatened Plaintiff again, shouting “Don’t move or you’re going to get tased again!”

26. At the time Defendant Gaard fired her taser, Plaintiff was unarmed, had not made any threatening movements or vocalizations, was complying with the officers’ orders to the best of his ability, and was located several yards away from the officers with his hands up.

27. Defendants Taylor and Brown were both standing near Defendant Gaard when she tased Plaintiff. They each witnessed Plaintiff being tased, had the duty and opportunity to intervene to prevent Plaintiff from being injured, yet failed to do so.

28. After Plaintiff was handcuffed, officers ordered him to stand up, but he told them, panicked, “I can’t feel my legs!” Plaintiff gave the officers permission to lift him up.

29. Officers leaned Plaintiff against the back of a squad car to remove the taser probes.

30. Plaintiff again asked why this was happening but the officers refused to tell him.

31. Defendant Taylor then placed Plaintiff in the back of his squad car.

32. While Plaintiff was waiting in the squad car, Officers Gaard, Taylor, Moen, and Crist joked around about completing Plaintiff's DoorDash delivery and going viral on TikTok.

33. That night, Defendants Gaard and Brown both told Defendant Taylor that he did everything right and gave Defendant Taylor instructions regarding what charges to pursue against Plaintiff.

34. Defendant Taylor told Defendant Gaard that the only charge he could think of was "resisting;" Defendant Gaard reminded Defendant Taylor to also charge Plaintiff for the cause of the initial traffic stop.

35. Defendant Taylor expressed that he thought he had to charge Plaintiff with something because force was used.

36. Defendant Taylor drove Plaintiff to the local jail and issued him tickets for driving the wrong way on a one-way street and resisting or obstructing a police officer, despite lacking probable cause to believe Plaintiff committed the latter offense.

37. Defendant Taylor then released Plaintiff from custody without booking him into the jail and drove Plaintiff back to his car.

38. Despite the absence of probable cause for the resisting or obstructing charge, Defendants pursued the charges against Plaintiff all the way to trial in an attempt to cover up their wrongdoing.

39. Plaintiff experienced stress and anxiety as the criminal prosecution hung over his head for months, and was particularly stressed about the possibility of receiving a criminal conviction for the charge of resisting or obstructing an officer, as it was more serious than a minor traffic ticket, and Plaintiff had no criminal record.

40. On July 16, 2024, a jury acquitted Plaintiff of resisting or obstructing a police officer.

41. As a direct and proximate result of Defendants' actions, as detailed above, Plaintiff suffered, *inter alia*, bodily injury, pain and suffering, mental distress, anguish, fear, humiliation, loss of income, and medical expenses.

42. In addition to the excruciating pain and mortal terror he experienced during the incident, the incident has continued to negatively impact Plaintiff's life ever since.

43. In the immediate aftermath, Plaintiff had a painful bruise on his chin from where he hit the street, and he suffered muscle pain and soreness for several weeks.

44. For weeks following Defendants' assault, Plaintiff experienced chest pain, causing him to fear that he was going to have a heart attack, for which he sought medical treatment.

45. Medical examinations revealed that Plaintiff's blood pressure after the incident was elevated; previously Plaintiff always had low blood pressure.

46. After the incident, Plaintiff began for the first time to regularly experience painful migraine headaches which continue to this day.

47. In addition, Plaintiff has received a diagnosis of Post Traumatic Stress Disorder related to the incident, for which he is receiving ongoing therapy and has been prescribed medication.

48. Because of his trauma from the event, Plaintiff no longer felt safe living in the Superior area and was forced to uproot his life and move to Denver, Colorado.

49. The move required Plaintiff to give up a job he enjoyed at Peace of Mind, a community services organization that provides support to adults with disabilities in Duluth, Minnesota.

50. In addition, because of Defendants' assault Plaintiff now experiences extreme distress while driving, particularly at night, and as a result is no longer able to drive for DoorDash.

51. Plaintiff lost another job he enjoyed at a landscaping company in Denver because he had to travel back to Wisconsin to defend himself at his criminal trial, causing him to miss work and resulting in his termination.

52. In sum, Defendants' wholly unjustifiable and unnecessary use of force and subsequent malicious prosecution have had a profoundly damaging impact on Plaintiff, a harmless individual who committed at most a simple driving error.

LEGAL CLAIMS

COUNT I – 42 U.S.C. § 1983 Excessive Force

53. Plaintiff repeats and realleges the foregoing paragraphs as if fully set forth herein.

54. Count I is alleged against all Defendant Officers.

55. As described in detail above, the Defendant Officers used unreasonable and excessive force against Plaintiff when they tased and/or pointed their firearms at Plaintiff in violation of Plaintiff's right under the Fourth Amendment to the United States Constitution to be free from unreasonable seizures.

56. As a direct and proximate result of the misconduct described in this Count, Plaintiff suffered physical and emotional injuries and damages as set forth above.

**COUNT II – 42 U.S.C. § 1983
Failure to Intervene**

57. Plaintiff repeats and realleges the foregoing paragraphs as if fully set forth herein.

58. Count II is alleged against all Defendant Officers.

59. All Defendant Officers, acting individually, jointly, and/or in conspiracy, had the opportunity, duty and ability to intervene on behalf of Plaintiff to prevent the uses of excessive force set forth above, but failed to do so, and thereby caused the Fourth Amendment violation and injuries to Plaintiff as set forth above.

**COUNT III – State Law Claim
Indemnification**

60. Plaintiff repeats and realleges the foregoing paragraphs as if fully set forth herein.

61. Count III is alleged against Defendant City of Superior.

62. Wisconsin law, Wis. Stat. § 895.46, requires public entities to pay any tort judgment for damages for which employees are liable for acts within the scope of their employment.

63. At all times relevant to this action, the Defendant Officers committed the acts alleged above in the scope of their employment with Defendant City of Superior.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff Ian Cuypers requests that this Court enter judgment in his favor and against Defendants Superior Police Department Officers Justin Taylor, Taylor Gaard, Sgt. Matthew Brown, and City of Superior, awarding compensatory damages, attorneys' fees,

and costs against each Defendant, and punitive damages against each of the individual Defendants, as well as any other relief this Court deems appropriate.

JURY DEMAND

Plaintiff demands trial by jury pursuant to Federal Rule of Civil Procedure 38(b) on all issues so triable.

Dated: October 24, 2024

Respectfully submitted,

/s/ Nora Snyder

Nora Snyder, IL Bar No. 6336790

Ben H. Elson, IL Bar No. 6286106

Brad Thomson, IL Bar No. 6327694

PEOPLE'S LAW OFFICE

1180 N. Milwaukee Ave.

Chicago, IL 60642

773-235-0070

norasnyder@peopleslawoffice.com

ben@peopleslawoffice.com

brad@peopleslawoffice.com

Attorneys for Plaintiff Ian Cuypers

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

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

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

DEFENDANTS

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

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

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

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

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

Brief description of cause:

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

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 the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff(s)

v.

Defendant(s)

)
)
)
)
)
)
)
)
)
)
)
)

Civil Action No. _____

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff(s)

v.

Defendant(s)

)
)
)
)
)
)
)
)
)
)
)
)

Civil Action No. _____

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

____ District of _____

Defendant(s)

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: