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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

FILED

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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 SOUTHERN DIVISION

12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 v.

16 JEANNE M. ROWZEE; JAMES R.
17 HALSTEAD; and ROBERT T. HARVEY;

18 Defendants.

Case No.

SACV08-1025 AG

(ANx)

**COMPLAINT FOR VIOLATIONS
OF THE FEDERAL SECURITIES
LAWS**

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1 Plaintiff Securities and Exchange Commission (“Commission”) alleges as
2 follows:

3 **JURISDICTION AND VENUE**

4 1. This Court has jurisdiction over this action pursuant to Sections 20(b),
5 20(d)(1) and 22(a) of the Securities Act of 1933 (“Securities Act”), 15 U.S.C. §§
6 77t(b), 77t(d)(1) and 77v(a); Sections 21(d)(1), 21(d)(3)(A), 21(e) and 27 of the
7 Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. §§ 78u(d)(1),
8 78u(d)(3)(A), 78u(e) and 78aa; and Sections 209(d), 209(e)(1) and 214 of the
9 Investment Advisers Act of 1940 (“Advisers Act”), 15 U.S.C. §§ 80b-9(d), 80b-
10 9(e)(1) and 80b-14. Defendants have, directly or indirectly, made use of the means
11 or instrumentalities of interstate commerce, of the mails, or of the facilities of a
12 national securities exchange, in connection with the transactions, acts, practices,
13 and courses of business alleged in this Complaint.

14 2. Venue is proper in this district pursuant to Section 22(a) of the
15 Securities Act, 15 U.S.C. § 77v(a); Section 27 of the Exchange Act, 15 U.S.C. §
16 78aa; and Section 214 of the Advisers Act, 15 U.S.C. §80b-14, because certain of
17 the transactions, acts, practices, and courses of conduct constituting violations of
18 the federal securities laws occurred within this district, defendants Jeanne M.
19 Rowzee and James R. Halstead reside in this district, and defendant Robert T.
20 Harvey transacted business in this district.

21 **SUMMARY**

22 3. From at least March 2004 through December 2006, the defendants
23 were engaged in a fraudulent offer and sale of more than \$52.7 million of securities
24 to approximately 150 investors. The defendants solicited investors to invest in
25 purported PIPE (“private investment in public equity”) investments, and promised
26 returns of 19% to 54% within 12 to 16 weeks. However, the defendants did not
27 use investor funds to make PIPE investments. Instead, the defendants engaged in a
28 Ponzi scheme, used investor funds to pay off other investors, and misappropriated

1 investor funds for their own personal use.

2 4. The defendants, by engaging in the conduct described in this Complaint,
3 have violated the securities registration provisions of Sections 5(a) and 5(c) of the
4 Securities Act, 15 U.S.C. §§ 77e(a) and 77e(c), and the antifraud provisions of
5 Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a), and Section 10(b) of the
6 Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-
7 5. Rowzee and Harvey also violated the antifraud provisions of Sections 206(1) and
8 206(2) of the Advisers Act, 15 U.S.C. §§ 80b-6(1) and 80b-6(2), and Halstead aided
9 and abetted Rowzee's violations of Sections 206(1) and 206(2) of the Advisers Act,
10 15 U.S.C. §§ 80b-6(1) and 80b-6(2). By this action, the Commission seeks a
11 permanent injunction prohibiting such future violations, disgorgement of the
12 defendants' ill-gotten gains, prejudgment interest, and civil penalties.

13 DEFENDANTS

14 5. **Jeanne M. Rowzee**, age 49, resides in Irvine, California. She is a
15 licensed California attorney. Rowzee is not registered with the Commission in any
16 capacity. On October 1, 2007, the California Department of Corporations
17 ("CDOC") issued a Desist and Refrain Order against Rowzee and others, in
18 connection with the offer of PIPE investments.

19 6. **James R. Halstead**, age 61, resides in Santa Ana, California.
20 Halstead is a licensed insurance broker in California and Arizona. He is not
21 registered with the Commission in any capacity. In 1998, Halstead pled guilty in a
22 state prosecution relating to the sale of securities. He paid \$150,000 in restitution
23 and the felony charges were reduced to a misdemeanor.

24 7. **Robert T. Harvey**, age 61, resides in Prosper, Texas. He is a self-
25 described "venture capitalist." He is not registered with the Commission in any
26 capacity. In May 2005, Harvey formed a California limited liability company,
27 Harvest Income, LLC, to pool investor funds to invest in the purported PIPEs.
28 Harvey was Harvest Income's sole manager from its inception until February 2007,

1 when he relinquished control of the company to an investor group to settle claims
2 against him. In 1985, Harvey was convicted of mail and wire fraud for acts
3 committed while he was a commodities broker. In 2002, the CDOC issued a Desist
4 and Refrain Order against Harvey for conducting a fraudulent unregistered offering.

5 **RELATED ENTITY**

6 8. **Harvest Income, LLC** is a California limited liability company that
7 was headquartered in Rancho Santa Margarita, California. From June 2005
8 through December 2006, Harvey offered and sold membership interests in Harvest
9 Income to pool investor funds to invest in the purported PIPEs. Harvest Income's
10 offering was never registered with the Commission, and Harvest Income was never
11 registered with the Commission in any capacity.

12 **THE FRAUDULENT SCHEME**

13 **A. The Unregistered Securities Offering**

14 9. From at least March 2004 through December 2006, the defendants
15 raised at least \$52.7 million from over 150 investors nationwide. The defendants
16 falsely represented that the investors' funds would be used to purchase PIPE
17 investments, which Rowzee described as "a private investment being converted
18 into a public entity." The defendants represented that Rowzee was an experienced
19 securities attorney who had access to lucrative private investment opportunities
20 through brokers that she controlled. The defendants assured prospective investors
21 that Rowzee was an expert who personally screened and selected each PIPE
22 investment after thorough due diligence. The defendants told prospective investors
23 the PIPEs paid returns of 19% to 54% within 12 to 16 weeks. Defendants also told
24 investors that they would receive 50% of the anticipated returns, with Rowzee and
25 Harvey or Halstead (depending on who had solicited the investor) splitting the
26 remaining 50%.

27 10. The defendants represented that the investors' funds were being used
28 to purchase restricted stock in companies offering PIPEs, and the investments were

1 securities. The defendants' securities offering was not registered with the
2 Commission, as required by Section 5 of the Securities Act.

3 **B. The Defendants' Solicitation of Investors**

4 11. The defendants solicited business clients and acquaintances and
5 generated word of mouth referrals. They met with many prospective investors one-
6 on-one at restaurants or lounges. Halstead also hosted lavish parties at his Las
7 Vegas home during which he solicited his guests to invest in the PIPEs. Rowzee
8 was an investment adviser to the PIPEs' investors. Rowzee held herself out as a
9 securities "expert" and advised investors on the value of the purported PIPE
10 investments she had screened and selected, and advised investors to purchase them.
11 As compensation for this service, Rowzee received 25% of the purported returns
12 paid to investors. Rowzee provided advice to investors on a regular basis for nearly
13 three years. Halstead aided and abetted Rowzee by actively soliciting investors,
14 acting as an intermediary between Rowzee and investors, and receiving and
15 handling investor funds while he knew or was generally aware of Rowzee's fraud.

16 12. The defendants did not identify the purported PIPE issuers or give
17 prospective investors any offering materials or financial statements. Rowzee gave
18 some investors a one or two-page document that set forth the basic investment
19 terms, such as the amount invested, the maturity date, and a stated anticipated rate
20 of return. There was no minimum investment amount required, and the
21 investments ranged from \$10,000 to \$2 million. Although investors initially
22 received the promised returns, they were encouraged to "roll over" their principal,
23 and sometimes their returns, into a new PIPE. As purportedly new PIPEs became
24 available, Rowzee, Harvey, and Halstead urged prospective or existing investors to
25 get their money in as soon as possible, telling them that the new PIPE was capped
26 at a certain dollar amount or available for a limited time.

27 13. Defendants structured the investments they were offering in two
28 different ways. One way investors invested was by wiring funds to Rowzee, either

1 directly or through an intermediary such as Halstead. When the PIPEs purportedly
2 matured, Rowzee wired the returns directly to investors or to Halstead, who
3 distributed the funds to his investors. Neither Rowzee nor Halstead required
4 prospective investors to provide any financial information. At least 18 of the
5 investors solicited by Rowzee and Halstead were unsophisticated and unaccredited
6 as defined in Rule 501 of Regulation D under the Securities Act, 17 CFR §
7 230.501.

8 14. The second way investors invested in the purported PIPEs was by
9 purchasing membership interests in Harvest Income from Harvey. Harvey began
10 offering Harvest Income membership interests in June 2005, purportedly in
11 reliance on the private placement exemption under the Securities Act and the safe
12 harbor provisions of Regulation D. Harvey directed investors to wire their funds to
13 a Harvest Income bank account that he controlled and told investors that the funds
14 would be used to invest in PIPEs.

15 15. Harvey was an investment adviser to Harvest Income. Harvey gave
16 prospective investors a copy of the Harvest Income operating agreement, which
17 identified him as the company's sole manager and gave him complete control over
18 the company's business, including its investment decisions. Harvey received
19 compensation for his investment adviser services. Under the terms of the operating
20 agreement, Harvey received 25% of the returns paid to investors, plus expenses.
21 Harvey advised Harvest Income as to the purported value of the PIPEs and the
22 advisability of investing in them. Harvey created a PowerPoint presentation on
23 PIPEs, which he gave to some prospective investors. Among other things, Harvey
24 represented to investors that he, Rowzee, and a certified public accountant
25 constituted a "loan committee" that evaluated every new potential PIPE for
26 Harvest Income. Harvey provided advice to Harvest Income on a regular basis for
27 about 18 months. Harvey had investors complete an "Investor Suitability
28 Questionnaire," which asked about their net worth, annual income, and investment

1 experience. At least 13 of the Harvest Income investors were unsophisticated and
2 unaccredited as defined in Rule 501 of Regulation D under the Securities Act, 17
3 CFR § 230.501.

4 16. Rowzee received at least \$25.7 million from over 150 investors,
5 including at least \$14.9 million from funds Halstead and Harvey raised. Halstead
6 raised \$34 million from 58 investors, but transferred only \$9.4 million to Rowzee.
7 Harvey raised at least \$7.9 million from 41 investors, but transferred only \$5.5
8 million to Rowzee.

9 **C. The Defendants Made Material Misrepresentations and Omissions**

10 17. Contrary to the defendants' representations that investor funds would
11 be used to invest in PIPEs, defendants did not use investors' funds to purchase
12 PIPEs, and the defendants were in fact operating a Ponzi scheme.

13 18. The defendants knew, or were reckless in not knowing, that the PIPEs
14 did not exist and that they were operating a Ponzi scheme. Rowzee, along with
15 Harvey for Harvest Income, were purportedly responsible for selecting the PIPEs.
16 Rowzee knew that investor funds were not being invested in PIPEs. Rowzee
17 controlled the various bank accounts into which investor funds were deposited and
18 knew that she used new investor funds to pay principal and returns to earlier
19 investors, and not to invest in PIPEs.

20 19. Harvey knew, or was reckless in not knowing, that PIPEs did not exist
21 because he knew there was never any "loan committee" selecting PIPEs for
22 Harvest Income. In January 2006, Harvey ignored a warning from his own
23 securities attorney to stop investing Harvest Income funds with Rowzee or in
24 PIPEs because, even after speaking with Rowzee, the attorney did not know how
25 investor funds were being used. Despite this warning, Harvey continued to solicit
26 investments in PIPEs through 2006, and raised \$4.3 million from investors
27 between February and December 2006.

28 20. Halstead and Harvey did not have any basis, other than Rowzee's

1 representations, for their representations to investors that funds would be invested
2 in PIPEs. Halstead and Harvey did not receive any specific information from
3 Rowzee about actual PIPEs that were made, such as the names of the issuers of the
4 PIPEs, or the brokers involved in the transactions. Halstead and Harvey knew that
5 the investor funds they did not send to Rowzee were not being invested in PIPEs.

6 21. Starting in February 2006, Halstead began to make Ponzi payments to
7 investors. Between March 2004 and December 2006, Halstead raised at least \$34
8 million from investors, but wired only about \$9.4 million to Rowzee. Beginning in
9 February 2006, Halstead used some of the money he had retained to make
10 payments of principal and "returns" to some of his investors.

11 **D. Defendants Have Misappropriated and Misused Investor Funds**

12 22. The defendants misappropriated at least \$20.3 million in investor
13 funds for their personal use.

14 23. Rowzee misappropriated at least \$5.6 million in investor funds to pay
15 her home mortgage, credit card bills, and purchase property in Arizona.

16 24. Halstead misappropriated at least \$10.4 million of investor funds to
17 support an extravagant lifestyle, including frequent Las Vegas trips and three
18 luxurious homes, and to pay living expenses for his wife, children, and others.

19 25. Harvey misappropriated at least \$2 million of Harvest Income funds
20 to pay his personal credit card bills and other expenses, including alimony
21 payments to his ex-wife. Harvey also paid himself approximately \$2.3 million in
22 purported "management fees."

23 26. Each of the defendants acted with scienter.

24 **E. The Collapse of the Scheme**

25 27. In December 2006, Rowzee stopped paying returns and "froze" all
26 investments. In a January 2007 letter, Rowzee informed investors that the PIPEs
27 market was severely impacted by "hedge fund activity," and that while their
28 investments were "safe," their returns would be smaller going forward. In

1 response, investors began to demand the return of their principal and proof that
2 their money had actually been invested in the PIPEs. The defendants did not have
3 sufficient funds to return all investors' principal, and did not have any evidence to
4 show that they had made any PIPE investments.

5 **FIRST CLAIM FOR RELIEF**

6 **Unregistered Offer and Sale of Securities**

7 **Violations of Sections 5(a) and 5(c) of the Securities Act**

8 **(Against All Defendants)**

9 28. The Commission realleges and incorporates by reference paragraphs 1
10 through 27 above.

11 29. The defendants, and each of them, by engaging in the conduct
12 described above, directly or indirectly, made use of means or instrumentalities of
13 transportation or communication in interstate commerce or of the mails, to offer to
14 sell or to sell securities, or to carry or cause such securities to be carried through
15 the mails or in interstate commerce for the purpose of sale or delivery after sale.

16 30. No registration statement has been filed with the Commission or has
17 been in effect with respect to the offering alleged herein.

18 31. By engaging in the conduct described above, each of the defendants
19 violated, and unless restrained and enjoined will continue to violate, Sections 5(a)
20 and 5(c) of the Securities Act, 15 U.S.C. §§ 77e(a) and 77e(c).

21 **SECOND CLAIM FOR RELIEF**

22 **Fraud in the Offer or Sale of Securities**

23 **Violations of Section 17(a) of the Securities Act**

24 **(Against All Defendants)**

25 32. The Commission realleges and incorporates by reference paragraphs 1
26 through 27 above.

27 33. The defendants, and each of them, by engaging in the conduct
28 described above, in the offer or sale of securities by the use of means or

1 instruments of transportation or communication in interstate commerce or by use
2 of the mails directly or indirectly:

- 3 a. with scienter, employed devices, schemes, or artifices to
4 defraud;
- 5 b. obtained money or property by means of untrue statements of a
6 material fact or by omitting to state a material fact necessary in
7 order to make the statements made, in light of the
8 circumstances under which they were made, not misleading; or
- 9 c. engaged in transactions, practices, or courses of business which
10 operated or would operate as a fraud or deceit upon the
11 purchaser.

12 34. By engaging in the conduct described above, the defendants violated,
13 and unless restrained and enjoined will continue to violate, Section 17(a) of the
14 Securities Act, 15 U.S.C. § 77q(a).

15 **THIRD CLAIM FOR RELIEF**

16 **Fraud In Connection With the Purchase or Sale of Securities**

17 **Violations of Section 10(b) of the Exchange Act and Rule 10b-5 Thereunder**
18 **(Against All Defendants)**

19 35. The Commission realleges and incorporates by reference paragraphs 1
20 through 27 above.

21 36. The defendants, and each of them, by engaging in the conduct
22 described above, directly or indirectly, in connection with the purchase or sale of a
23 security, by the use of means or instrumentalities of interstate commerce, of the
24 mails, or of the facilities of a national securities exchange, with scienter:

- 25 a. employed devices, schemes, or artifices to defraud;
- 26 b. made untrue statements of a material fact or omitted to state a
27 material fact necessary in order to make the statements made,
28 in the light of the circumstances under which they were made,

1 not misleading; or

2 c. engaged in acts, practices, or courses of business which
3 operated or would operate as a fraud or deceit upon other
4 persons.

5 37. By engaging in the conduct described above, the defendants violated,
6 and unless restrained and enjoined will continue to violate, Section 10(b) of the
7 Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. §
8 240.10b-5.

9 **FOURTH CLAIM FOR RELIEF**

10 **Fraud on Investment Adviser's Clients**

11 **Violations of Sections 206(1) and 206(2) of the Advisers Act**

12 **(Against Rowzee and Harvey)**

13 38. The Commission realleges and incorporates by reference paragraphs 1
14 through 27 above.

15 39. Defendants Rowzee and Harvey, by engaging in the conduct
16 described above, by use of the mails or means or instrumentalities of interstate
17 commerce, directly or indirectly, while acting as an investment adviser: (a) with
18 scienter, employed devices, schemes or artifices to defraud advisory clients or
19 prospective advisory clients; and (b) engaged in transactions, practices or courses
20 of business which operated as a fraud or deceit upon advisory clients or
21 prospective advisory clients.

22 40. By reason of the foregoing, defendants Rowzee and Harvey violated,
23 and unless restrained and enjoined will continue to violate, Sections 206(1) and
24 206(2) of the Advisers Act, 15 U.S.C. §§ 80b-6(1) and 80b-6(2).

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FIFTH CLAIM FOR RELIEF

**Aiding and Abetting Fraud on Investment Adviser's Clients
Violations of Sections 206(1) and 206(2) of the Advisers Act
(Against Halstead)**

41. The Commission realleges and incorporates by reference paragraphs 1 through 40 above.

42. Defendant Halstead, by engaging in the conduct described above, while generally aware or knowing that his actions were part of an overall course of conduct that was improper or illegal, provided substantial assistance to Rowzee in her perpetration of the fraudulent scheme.

43. By engaging in the conduct described above, pursuant to Section 209(d) of the Advisers Act, 15 U.S.C. § 80b-9(d), defendant Halstead violated, and unless restrained and enjoined will continue to violate, Sections 206(1) and 206(2) of the Advisers Act, 15 U.S.C. §§ 80b-6(1) and 80b-6(2).

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that the Court:

I.

Issue findings of fact and conclusions of law that the defendants committed the alleged violations.

II.

Issue judgments, in a form consistent with Fed. R. Civ. P. 65(d), permanently enjoining defendants and their officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with any of them, who receive actual notice of the order by personal service or otherwise, and each of them, from violating Sections 5(a), 5(c), and 17(a) of the Securities Act, 15 U.S.C. §§ 77e(a), 77e(c) and 77q(a); Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5 thereunder, 17 C.F.R. § 240.10b-5; enjoining defendants Rowzee and Harvey from violating Sections 206(1) and 206(2) of the Advisers

1 Act, 15 U.S.C. §§ 80b-6(1) and 80b-6(2); and enjoining defendant Halstead from
2 aiding and abetting violations of Section 206(1) and 206(2) of the Advisers Act.

3 **III.**

4 Order each defendant to disgorge all ill-gotten gains from their illegal
5 conduct, together with prejudgment interest thereon.

6 **IV.**

7 Order defendants Rowzee and Harvey to pay civil penalties under Section
8 20(d) of the Securities Act, 15 U.S.C. § 77t(d), Section 21(d)(3) of the Exchange
9 Act, 15 U.S.C. § 78u(d)(3), and Section 209(e)(1) of the Advisers Act, 15 U.S.C. §
10 80b-9(e)(1).

11 **V.**

12 Order defendant Halstead to pay civil penalties under Section 20(d) of the
13 Securities Act, 15 U.S.C. § 77t(d), and Section 21(d)(3) of the Exchange Act, 15
14 U.S.C. § 78u(d)(3).


15 **VI.**

16 Retain jurisdiction of this action in accordance with the principles of equity
17 and the Federal Rules of Civil Procedure in order to implement and carry out the
18 terms of all orders and decrees that may be entered, or to entertain any suitable
19 application or motion for additional relief within the jurisdiction of this Court.

20 **VII.**

21 Grant such other and further relief as this Court may determine to be just and
22 necessary.

23
24 DATED: September 15, 2008



25 Susan F. Hannan
26 Attorney for Plaintiff
27 Securities and Exchange Commission
28

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John B. Bulgozdy, Cal. Bar No. 219897
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE COMMISSION

CASE NUMBER

PLAINTIFF(S)

v.

SACV08-1025 AG (ANX)

JEANNE M. ROWZEE; JAMES R. HALSTEAD;
and ROBERT T. HARVEY

DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S): Jeanne M. Rowzee; James R. Halstead; and Robert T. Harvey

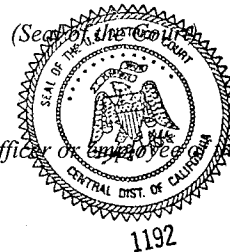
A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, John M. McCoy/John B. Bulgozdy/Susan F. Hannan, whose address is SEC, 5670 Wilshire Boulevard, 11th Floor, Los Angeles, CA 90036. If you fail to do so, 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, U.S. District Court

Dated: **SEP 15 2008**

By: **LA'REE HORN**
Deputy Clerk



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes
If yes, list case number(s): SACV 07-393 DOC (ANx) (consolidated cases SACV 07-591, SACV 07-641 and SACV 07-874)

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Jeanne M. Rowzee - Orange County; James R. Halstead - Orange County	Robert T. Harvey - Texas

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Orange County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): *Susan T. Farrow* Date Sept. 15, 2008

Notice to Counsel/Parties: The CV-71 (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. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))