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15 *Attorneys for Plaintiff and the Class*

16 **UNITED STATES DISTRICT COURT**
17 **SOUTHERN DISTRICT CALIFORNIA**

18 Antonia Burrell, on behalf of herself,
19 the General Public, and all others
20 similarly situated,

21 Plaintiff,

22 v.

23 IKEA US RETAIL LLC, a Virginia
24 Corporation, and IKEA NORTH
25 AMERICA SERVICES, LLC, a
26 Virginia Corporation,

27 Defendant.

CASE NO.: '19CV929 JLS BLM

CLASS ACTION

**COMPLAINT FOR
VIOLATIONS OF CALIFORNIA
CIVIL CODE SECTION 1747.08
[SONG-BEVERLY CREDIT
CARD ACT OF 1971]**

1 **I. INTRODUCTION**

2 1. California Civil Code section 1747.08 generally states that when a
3 merchant is engaged in a retail transaction with a customer, the merchant may not
4 request personal identification information from a customer paying for goods with
5 a credit card, and then record that personal identification information upon the
6 credit card transaction form or otherwise.¹

7 2. Defendants Ikea US Retail Services LLC and Ikea North America
8 Services LLC (hereinafter, “Defendants” or “IKEA”) operate retail stores in
9 California and is engaging in a pattern of unlawful and deceptive business
10 practices by utilizing a policy whereby IKEA’s employees request and record
11 personal identification information (i.e. zip codes) and credit card numbers from
12 customers using credit cards at the point-of-sale in Defendant’s retail
13 establishments.

14 3. On information and belief, IKEA uses the zip codes for marketing
15 purposes since credit card companies do not require zip codes or any other
16 personal identification information to complete in-person credit card transactions.
17 and the zip codes and credit card numbers are accessible to IKEA’s employees and
18 lack proper security and safeguards.

19
20
21 ¹ California Civil Code section 1747.08 states in relevant part:
22 “(a) Except as provided in subdivision (c), no person, firm, partnership, association, or
23 corporation that accepts credit cards for the transaction of business shall do any of the following:
24 (1) Request, or require as a condition to accepting the credit card as payment in full or in
25 party for goods or services, the cardholder to write any personal identification information upon
26 the credit card transaction form or otherwise.
27 (2) Request, or require as a condition to accepting the credit card as payment in full or in
28 party for goods or services, the cardholder to provide personal identification information, which
the person, firm, partnership, association, or corporation accepting the credit card writes, causes
to be written, or otherwise records upon the credit card transaction form or otherwise.
(3) Utilize, in any credit card transaction, a credit card form which contains preprinted
spaces specifically designated for filling in any personal identification information of the
cardholder.
(b) For purposes of this section “personal identification information” means information
concerning the cardholder, other than information set forth on the credit card, and including, but
not limited to, the cardholder’s address and telephone number.”

1 4. In addition, IKEA requires customers to verbally provide their zip
2 codes, which further enhances the likelihood of identify theft and credit card fraud.

3 5. This action arises from IKEA’s violations of California Civil Code
4 section 1747.08, by and through IKEA’s policy of practice of requesting and
5 recording Plaintiff’s and putative class members’ zip codes in conjunction with
6 credit card transactions during the point-of-sale process at IKEA’s retail
7 establishments, during the period of time beginning one year prior to the filing of
8 this Complaint and continuing through the present (herein referred to as the
9 “Liability Period” or “Class Period”), when such information is not required for a
10 special purpose incidental but related to the individual credit card transaction,
11 including, but not limited to, information relating to shipping, delivery, servicing,
12 or installation of the proposed merchandise, or for special orders.

13 6. Plaintiff does not seek any relief greater than or different from the
14 relief sought for the class of which Plaintiff is a member. If successful, this action
15 will enforce an important right affecting the public interest and will confer a
16 significant benefit, whether pecuniary or non-pecuniary, on a large class of
17 persons. Private enforcement is necessary and avoids placing a disproportionate
18 financial burden on Plaintiff in relation to Plaintiff’s stake in the matter.

19 **II. JURISDICTION AND VENUE**

20 7. This Court has jurisdiction over IKEA pursuant to 28 U.S.C. §§
21 1332(d), 1453, and 1711-1715, the Class Action Fairness Act of 2005, because the
22 amount in controversy exceeds \$5 million and because minimum diversity is met
23 since at least one party is diverse from Beacon.

24 8. This Court has jurisdiction over IKEA because IKEA intentionally
25 avails itself of the consumer markets within the County of San Diego, State of
26 California, including the City of San Diego.

27 **III. THE PARTIES**

28 9. Plaintiff, Antonia Burrell, is a consumer who, during the Liability

1 Period, entered into retail purchase transaction at Defendant’s store in California,
2 with a personal credit card, and was requested to provide her zip code in
3 conjunction with the credit card transaction by Defendant’s cashier at the point of
4 sale. Her transaction did not involving shipping, delivery, servicing, installation or
5 a special order; instead the transaction involved a “take away” or “take with” item
6 sold by Defendant. Plaintiff provided her zip code, which the clerk recorded into
7 Defendant’s electronic database at the point of sale.

8 **10.** IKEA sells products within California and accepts credit cards as a
9 payment option for its customers.

10 **11.** At all times herein mentioned, Defendants, and each of them, was an
11 agent or joint venturer of each of the other Defendants, and in doing the acts
12 alleged herein, were acting within the course and scope of such agency. Each
13 Defendant had actual and/or constructive knowledge of the acts of each of the
14 other Defendant, and ratified, approved, joined in, acquiesced, and/or authorized
15 the wrongful acts of each co-Defendant, and/or retained the benefits of said
16 wrongful acts.

17 **12.** Defendants, and each of them, aided and abetted, encouraged and
18 rendered substantial assistance to the other Defendant in breaching their
19 obligations to Plaintiff and the class, as alleged herein. In taking action, as
20 particularized herein, to aid and abet and substantially assist the commissions of
21 these wrongful acts and other wrongdoings complained of, each of the Defendants
22 acted with an awareness of his/her/its primary wrongdoing and realized that
23 his/her/its conduct would substantially assist the accomplishment of the wrongful
24 conduct, wrongful goals, and wrongdoing.

25 **IV. CONDUCT GIVING RISE TO THE VIOLATIONS OF LAW**

26 **13.** As specified above, during the Liability Period, Plaintiff entered into a
27 retail purchase transaction using a personal credit card at an IKEA store in
28 California, which did not involve shipping, delivery, installation or a special order.

1 **14.** However, as part of IKEA’s policy of collecting personal
2 identification information in conjunction credit card purchase transactions, IKEA’s
3 cashier asked Plaintiff for her zip code.

4 **15.** Believing she was required to comply with the request in order to
5 complete the transaction, Plaintiff provided her zip code and IKEA’s cashier
6 recorded it. Plaintiff would not have given her zip code if she had been aware it
7 was not required to complete the transaction.

8 **16.** Because Plaintiff provided her zip code verbally, she experienced an
9 actual risk to theft of her personal information. Plaintiff would not have
10 experienced this real risk but for Defendants unlawfully requesting her personal
11 information.

12 **17.** IKEA’s conduct expressly violated Civil Code section 1747.08(a)(2).

13 **18.** Section 1747.08(c) provides that the prohibition against requesting
14 and recording personal identification information in connection with credit card
15 transactions does not apply to credit card transactions involving a deposit to secure
16 payment in the event of default, loss, damage, or other similar occurrence; for cash
17 advance transactions; if the retailer is contractually obligated to provide personal
18 identification information in order to complete the credit card transaction or is
19 obligated to collect and record the personal identification information by federal
20 law or regulation; or if personal identification information is required for any
21 special purpose incidental but related to the credit card transaction, such as for
22 information related to shipping, delivery, servicing, installation or for a special
23 order.

24 **19.** Plaintiff’s transactions as alleged herein did not involve any of the
25 exceptions under Section 1747.08(c).

26 **20.** Liability under Section 1747.08 is established simply by requesting
27 and recording personal identification information, which includes zip codes, from a
28 customer paying by credit card. *Pineda v. Willaims-Sonoma Stores, Inc.*, 51

1 Cal.4th 524, 528 (2011); *see also Florez v. Linens 'N Things*, 108 Cal.App.4th 447.
2 451-453 (2003).

3 **21.** There is no exception under Section 1747.08 for marketing or
4 advertising purposes. To the contrary, under Section 1747.08, it is prohibited to
5 request personal identification information, and record it, even if request was made
6 only for marketing and/or advertising purposes. *Florez v. Linens 'N Things*, 108
7 Cal.App.4th at 451-453.

8 **22.** The penalty for violating Section 1747.08 is up to two-hundred fifty
9 dollars (\$250) for the first violation and up to one thousand dollars (\$1,000) for
10 each subsequent violation, to be assessed and collected in a civil action under this
11 statute by, *inter alia*, the person paying with the credit card.

12 **V. PLAINTIFF'S CLASS ACTION ALLEGATIONS**

13 **23.** This lawsuit is brought on behalf of an ascertainable statewide class,
14 pursuant to Federal Rule of Civil Procedure 23, consisting of:

15 All Ikea customers who were requested or required to provide, and did
16 provide and had recorded, their personal identification information
17 (which includes, but is not limited to, a customer's address, ZIP code,
18 telephone number, and/or email address), during a credit card
transaction at an Ikea store in California [during the Class Period], and
who took all of their purchases with them at the conclusion of the
transaction.

19 **24.** The members of the class are so numerous that joinder of all members
20 is impractical. While the exact number of class members is unknown to Plaintiff at
21 this time, such information can be ascertained through appropriate discovery, from
22 records maintained by IKEA and its agents.

23 **25.** A class action is superior to other available methods for the fair and
24 efficient adjudication of this controversy because joinder of all members is
25 impractical, the likelihood of individual class members prosecuting separate claims
26 is remote and individual class members do not have significant interest in
27 individually controlling the prosecution of separate actions. Relief concerning
28 Plaintiff's rights under the laws alleged herein and with respect to the class as a

1 whole would be appropriate. Plaintiff knows of no difficulty to be encountered in
2 the management of this action that would preclude its maintenance as a class
3 action.

4 **26.** There is a well-defined community of interest among the members of
5 the class because common questions of law and fact predominate, Plaintiff's
6 claims are typical of the members of the class, and Plaintiff can fairly and
7 adequately represent the interests of the class.

8 **27.** Common questions of law and fact exist as to all members of the class
9 and predominate over any questions affecting solely individual members of the
10 class. Among the questions of law and fact common to the class are:

- 11 **a.** whether each class member engaged in a credit card transaction
12 with IKEA;
- 13 **b.** whether IKEA requested personal identification information
14 and recorded the personal identification information of the
15 cardholder, in conjunction with credit card transactions with
16 class members;
- 17 **c.** whether IKEA's conduction of requesting the cardholder to
18 provide personal identification information in conjunction with
19 certain non-exempt credit card transactions and recording the
20 personal identification information of the cardholder constitutes
21 violations of Section 1747.08;
- 22 **d.** whether Plaintiff and the class are entitled to civil penalties, and
23 the proper amount of civil penalties to be paid to class
24 members.

25 **28.** Plaintiff's claims are typical of those of the other class members
26 because Plaintiff like every other class member, was exposed to virtually identical
27 conduct and its entitled to civil penalties in amounts up to one thousand dollars
28 (\$1,000) per violation pursuant to Section 1747.08(e).

1 **29.** Plaintiff can fairly and adequately represent the interests of the class,
2 plaintiff has no conflicts of interest with other class members, and Plaintiff has
3 retained counsel competent and experiences in class action and civil litigation.

4 **VI. CLAIM**

5 **VIOLATION OF CALIFORNIA CIVIL CODE § 1747.08**

6 **[SONG-BEVERLY CREDIT CARD ACT OF 1971]**

7 **30.** Plaintiff refers to and incorporates by reference each and every
8 paragraph above as though set forth fully herein.

9 **31.** Section 1747.08 prohibits any person, firm, association, or
10 corporation, which accepts credit cards for the transaction of business, from
11 requesting the cardholder to provide personal identification information.

12 **32.** During credit card transactions between IKEA and its consumers at
13 California stores during the Liability Period, IKEA's cashiers requested and
14 recorded zip codes from customers using credit cards at the point-of-sale in
15 IKEA's retail establishments during transactions not involving shipping, delivery,
16 servicing or installation of the purchased merchandise, or for special orders.

17 **33.** It is and was IKEA's routine business to request zip codes from every
18 person who, while using a credit card, purchased any product from any of IKEA's
19 California stores during transactions not involving shipping, delivery, servicing or
20 installation of the purchased merchandise, or for special orders.

21 **34.** Due to IKEA's violations as set forth herein, Plaintiff and the class are
22 entitled to civil penalties in amounts up to one thousand dollars (\$1,000) per
23 violation pursuant to Section 1747.08(e).

24 **PRAYER FOR RELIEF**

25 WHEREFORE, PLAINTIFF AND THE PUTATIVE CLASS PRAY for
26 judgment against IKEA as follows:

27 **35.** That the Court certifies this as a class action;

28 **36.** For an award to Plaintiff and to each member of the class the civil

1 penalty to which she or she is entitled under California Civil Code section
2 1747.08(e);

3 **37.** For distribution of any moneys recovered on behalf of the class of
4 similarly situated consumers via fluid recovery or *cy pres* recovery where
5 necessary to prevent IKEA from retaining the benefits of their wrongful conduct;

6 **38.** For an award of attorneys' fees as authorized by statute including but
7 not limited to, the provisions of California Code of Civil Procedure section 1021.5,
8 and as authorized under the "common fund" doctrine;

9 **39.** For costs of the suit;

10 **40.** For prejudgment interest at the legal rate;

11 **41.** And for such other relief as the Court may deem proper.

12
13 Dated: May 17, 2019

Respectfully Submitted,

14 /s/ Lindsay David
15 LINDSAY C. DAVID
16 2888 Loker Avenue East, Suite 302
17 Carlsbad, CA 92010
Telephone: (760) 730-9408
Facsimile: (760) 888-3575

18 *Attorneys for Plaintiff and the Class*

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JS 44 (Rev. 02/19)

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

ANTONIA BURRELL

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

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

ALISA A. MARTIN, AMARTIN LAW (619) 308-6880
600 WEST BROADWAY, SUITE 700, SAN DIEGO, CA 92101

DEFENDANTS

IKEA US RETAIL LLC, a Virginia Corporation, and IKEA NORTH AMERICA SERVICES, LLC, a Virginia Corporation,

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

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

Attorneys (If Known)

'19CV929 JLS BLM

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 checked="" 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 checked="" 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)

Click here for: [Nature of Suit Code Descriptions.](#)

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"/> 835 Patent - Abbreviated New Drug Application <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"/> 485 Telephone Consumer Protection Act <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	CIVIL RIGHTS	PRISONER PETITIONS			
<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	<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	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):
28 U.S.C. §§ 1332(d), 1453, and 1711-1715

Brief description of cause:
VIOLATION OF CCP § 1747.08

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
According to Proof

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE 5/17/2019 SIGNATURE OF ATTORNEY OF RECORD [Signature]

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related 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.

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [IKEA Illegally Collects Customers' Zip Codes During Credit Card Transactions, Class Action Says](#)
