

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.

ESTATE OF JUSTIN ALTMAN,

James Altman, individually and as the personal representative of the Estate of Justin Altman,
Joy Altman

Plaintiffs,

v.

**BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTHERN COLORADO,
DANICA BROWN,
JALA RANDOLPH; AND
JOHN TRAMMELL**

Defendants

COMPLAINT AND JURY DEMAND

Plaintiffs, Estate of Justin Altman, Joy Altman, and James Altman, by and through counsel, Kishinevsky & Raykin, LLC, hereby respectfully file this Complaint with Jury Demand against Defendant University of Northern Colorado and Defendants Danica Brown, Jala Randolph, and John Trammel, in their individual capacities, and state on information and belief as follows. This action seeks relief, including appropriate damages and costs and declaratory relief.

I. INTRODUCTION

This case concerns the tragic and utterly preventable death of Justin Altman. Justin was a bright, kind, and music-loving student at the University of Northern Colorado (“UNC”). Justin was a junior at UNC, studying Earth Sciences. Like so many college students, Justin struggled with mental health issues.¹ And like so many college students, Justin did not receive the help or

¹ There is an epidemic of mental health issues on college campuses. In a recent study conducted by the American College Health Association (“ACHA”), more than one-third of students had

support he needed from UNC. Justin's struggles were well known to UNC. His grades suffered during the Fall 2023 semester: he went from a student who received mostly As and Bs to all Cs and Ds. UNC knew that Justin suffered a mental health episode in February 2024, when Ms. Altman called and requested a wellness check. He stopped attending class from February 2024 to May 2024, and did not respond to the emails or messages from his professors during this time. Despite this knowledge, UNC did not attempt to provide any support to Justin.

On May 3, 2024, Justin's parents arrived at UNC to help him move out of his dorm for the summer. When he failed to answer their calls, texts, and knocks on his dorm room door, they pled with UNC staff to conduct a wellness check. The Altmans told UNC staff of Justin's mental health issues and that they believed his life could be in danger. Despite the urgency presented, UNC staff delayed access to Justin's dorm room for over an hour. When the Altmans were finally able to get into Justin's room, it was too late. Justin had committed suicide by hanging himself in his dorm bathroom. When emergency medical services ("EMS") arrived, Justin's body still contained carbon dioxide. At that time, Justin had approximately a 10% chance of survival, but EMS was unable to resuscitate him. UNC's hour-long delay critically undercut his chance of surviving the suicide attempt.

Justin's death highlights institutional failings common to colleges and universities. UNC knew that Justin suffered from mental health concerns and that he experienced a mental health incident in February 2024. UNC knew that Justin stopped attending classes during the spring 2024 semester but failed to notify his parents or otherwise intervene to support his welfare. It

been diagnosed with anxiety, one-quarter with depression, and more than one-quarter (27%) of students surveyed met the criteria for suicidal ideation. AMER. COLL. HEALTH ASS'N, *Undergraduate Student Reference Group Data Report* (Fall 2024), https://www.acha.org/wp-content/uploads/NCHA-IIIb_FALL_2024_UNDERGRADUATE_REFERENCE_GROUP_DATA_REPORT.pdf.

also critically delayed the Altmans' attempts to reach Justin on May 3, 2024. UNC staff refused to conduct a welfare check and delayed the Altmans' access to Justin's room, despite notice that his parents were concerned he had, or was actively attempting, to take his own life.

Justin's death was preventable. Had UNC taken reasonable, *minor*, steps to support his welfare, his parents would have known of his condition long before May 2024. Had UNC reacted reasonably to the life-or-death situation that developed on May 3, 2024, Justin's parents could have contacted him in time to prevent his death.

II. JURISDICTION AND VENUE

1. The Court has jurisdiction over this complaint pursuant to 28 U.S.C. §§ 1331, 1343, and 1367.

2. Venue is proper pursuant to 28 U.S.C. § 1493(b) as the wrongful acts alleged herein occurred in whole or in part in Colorado.

III. PARTIES

3. Plaintiff, decedent, Justin Altman, is represented in this litigation by the Estate of Justin Altman. The personal representative of the Estate is James Altman.

4. Until his death, Justin Altman was a Colorado resident and citizen.

5. Plaintiff James Altman is decedent's father. He is currently, and at all times relevant to this action was, a resident of Arapahoe County, Colorado.

6. Plaintiff Joy Altman is decedent's mother. She is currently, and at all times relevant to this action was, a resident of Arapahoe County, Colorado.

7. At all times relevant to this action, Justin Altman was a student at the University of Northern Colorado ("UNC").

8. Justin Altman had a history of mental health issues consistent with depression, anxiety, and suicidal ideation.

9. Justin Altman's mental health issues consistent with depression, anxiety, and suicidal ideation were disabilities that impaired major life including, but not limited to, caring for oneself, thinking, concentrating, learning, and communicating.

10. Justin Altman was a disabled individual within the meaning of Section 504 of the United States Rehabilitation Act of 1973 ("Section 504"), 29 U.S.C. § 794; Title II of the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ 12131 *et seq.*; and the Colorado Anti-Discrimination Act ("CADA"), C.R.S. § 24-24-801 *et seq.*

11. University of Northern Colorado (the "University" or "UNC") is a public university that has its principal place of business in Weld County, Colorado. C.R.S. § 23-40-101.

12. The Board of Trustees of the University of Northern Colorado is the proper defendant in this matter pursuant to C.R.S. § 23-40-104(1)(a).

13. Defendant Board of Trustees of the University of Northern Colorado ("Defendant UNC") is a recipient of federal financial assistance and thus is subject to the requirements of Section 504. 29 U.S.C. § 794.

14. Defendant UNC is a public governmental entity subject to the provisions of the ADA. 42 U.S.C. § 12131(1).

15. Defendant UNC is a public entity subject to the provisions of CADA. C.R.S. § 24-34-301(18).

16. Defendant Danica Brown is employed by the University as a Residential Coordinator.

17. Defendant Jala Randolph is employed by the University as a Residential Coordinator.

18. Defendant John Trammell is employed by the University as a campus security officer.

IV. FACTUAL BACKGROUND

19. On May 3, 2024, Justin Altman committed suicide while living within a dormitory and the University of Northern Colorado.

20. Justin lived in the South Residence Hall, located at 2323 11th Avenue Greeley, Colorado.

21. He lived in a single occupancy dorm room with an attached, private, bathroom.

22. Justin had a history of mental health issues.

23. His history of mental health issues is consistent with depression, anxiety, and suicidal ideation.

24. Justin had a history of suffering panic attacks.

25. Justin had a history of engaging in self-harm.

26. Over the course of the 2023-2024 school year, Justin's mental health grew steadily worse.

27. During the 2023-2024 school year, Justin's academic performance declined.

28. In previous years, Justin was a mostly A and B student.

29. In Fall 2023, Justin's grades were a C, D+, and C-.

30. He withdrew from one of his courses in Fall 2023.

31. Justin's steep decline in his grades put UNC on notice that he had a disability that required reasonable accommodations.

32. In November and December 2023, Justin did not attend class due to a planned family trip to China.

33. Justin's professors were provided advance notice of this absence.

34. The spring semester started in January 2024.

35. On February 1, 2024, at 2: 05p.m., Ms. Altman called the front desk of Justin's dorm and spoke with Assistant Neighborhood Coordinator Reilly Fredell.

36. Ms. Altman requested that UNC perform a wellness check on Justin.

37. Ms. Altman shared that she was concerned because she had not heard from Justin and his location on Life 360 had not moved from his dorm room in over 24 hours.

38. Justin's failure to respond to his parents and not moving from his dorm room for over 24 hours are obvious manifestations of mental health issues consistent with depression.

39. Two UNC resident assistants ("RAs") knocked on Justin's door to conduct a wellness check.

40. Justin answered the door on the third knock. The RAs reported that Justin looked as though he might have been sleeping.

41. The RAs informed Justin that Ms. Altman was worried about him and that he should call her as soon as possible.

42. Mr. Fredell called Ms. Altman back at approximately 2:15p.m. to provide her with an update.

43. On February 2, 2024, a Student of Concern report was created due to this welfare check.

44. UNC closed the Student of Concern report, without conducting any additional follow up and without providing any resources or support to Justin.

45. Also on February 2, 2024, Ms. Altman, drove to Greeley, Colorado to conduct a personal welfare check because she was concerned about Justin's mental health.

46. When Ms. Altman arrived at the University, UNC denied her access to Justin's room.

47. Ms. Altman waited outside, knocking on the door, and, eventually, Justin answered and spoke with her.

48. Observing Justin's mental health status, Ms. Altman took Justin home for the weekend.

49. As of February 1, 2024, UNC had notice that Justin had a disability—mental health issues consistent with depression and anxiety— requiring a reasonable accommodation.

50. As of February 1, 2024, UNC had notice that Justin required the reasonable accommodation of frequent check-ins on his wellbeing.

51. As of February 1, 2024, Justin's need for reasonable accommodations was obvious.

52. Between February 2024 and May 2024, Justin stopped attending his classes.

53. Justin's failure to attend class was recorded by his professors and known to UNC.

54. Between February 2024 and May 2024, Justin's professors attempted to contact him by email and text.

55. Justin did not respond to his professors.

56. Justin's failure to attend class and failure to respond to his professors put UNC on notice that he had a disability that required reasonable accommodations.

57. Mr. David Lerach was Justin's academic advisor throughout his time at UNC.

58. As his advisor, Mr. Lerach met with Justin to discuss his class schedules and progress towards graduation.

59. Mr. Lerach knew that Justin had mental health issues consistent with anxiety and depression.

60. At Justin's memorial service, Mr. Lerach informed Mr. Altman and Ms. Altman that he had known of Justin's mental health issues before his death.

61. As a result of his mental health issues, Justin required a reasonable accommodation in the form of frequent check-ins on his well-being from UNC and his parents.

62. Justin's need for check-ins was obvious based on his declining grades, failure to attend class, failure to correspond with professors, and Mr. Lerach's knowledge that Justin had mental health issues.

63. UNC failed to inform Justin's parents or to otherwise check on his wellbeing once it received notice that Justin's grades were in steep decline or when it received notice that Justin was not going to class or responding to professors.

64. Justin's parents monitored his mental health status daily and maintained regular contact with him between February and May 2024.

65. Justin frequently went home on the weekends between February and May 2024.

66. Justin was also home for spring break in March 2024.

67. At one point during the spring semester, the Altmans asked Justin if he needed to withdraw from UNC for that semester.

68. Justin said no.

69. At this point in time, the Altmans were not aware that Justin was not attending classes.

70. In May, the 2024-2025 school year ended.

71. On May 3, 2024, Justin was scheduled to move out of student housing and return home.

72. Justin's last final exam of the semester was on May 3, 2024, and was scheduled to conclude at 4:00p.m.

73. Justin and his parents had agreed that his parents would arrive after that exam to help him move out of his dorm.

74. The Altmans arrived at UNC at 4:15p.m.

75. When they arrived, they immediately went to Justin's room.

76. Justin did not answer repeated knocks nor phone calls.

77. While Mr. Altman waited at Justin's door, Ms. Altman went to the dormitory's front desk and spoke to the staff member working there.

78. Ms. Altman spoke to the staff member working at the front desk within 5 minutes of her arrival.

79. Ms. Altman explained that she and her husband had not heard from Justin nor were able to contact him at his door.

80. Ms. Altman also explained that Justin may be experiencing a mental health crisis, and shared that she was very concerned about his safety.

81. Ms. Altman then requested that the staff member, or other employees, conduct a welfare check on Justin.

82. The staff member refused.

83. Ms. Altman pressed on. She insisted that Justin was not safe, and that UNC needed to respond and conduct a welfare check.

84. At this point, Danica Brown, University Residential Coordinator, and Eric Goering, Mesa Community Director, overheard Ms. Altman asking for Justin's door to be opened.

85. Ms. Brown told Ms. Altman that UNC could not open the door for her.

86. Eric Goering contacted Jala Randolph, Residential Coordinator, at approximately 4:45p.m.

87. Ms. Randolph arrived and required Ms. Altman to wait downstairs while Goering went to knock on Justin's door again.

88. Ms. Randolph, rather than authorizing a wellness check, first called UNC Dining Services to see when Justin last used his swipe card.

89. Ms. Randolph was told that his last swipe had been in the South Residence Hall vending machine at 5:12p.m. on May 2, 2024.

90. Nevertheless, Ms. Altman persisted.

91. Eventually, Ms. Brown contacted UNC's internal campus police.

92. Approximately ten minutes later, UNC police officer John Trammell ("Defendant Trammell" or "Officer Trammell") responded to the call at a 4:54p.m.

93. Ms. Altman repeatedly informed Officer Trammell that Justin's life was in danger, that he had previously suffered a major depressive episode in February 2024, had experienced suicidal ideation, and had failed to communicate with either of his parents throughout the day.

94. Ms. Brown and Ms. Randolph were present while Ms. Altman informed Officer Trammell of the threat to Justin's life and his mental health issues.

95. Officer Trammell refused to open the door and stated that he did not understand why the Altmans were so concerned that Justin could be deceased.

96. Eventually, Ms. Randolph opened the door to Justin's room. However, neither Ms. Randolph, Trammell, nor Ms. Brown entered Justin's room.

97. Officer Trammell observed that Justin's room was dark and called out to Justin several times. Officer Trammell forbade anyone from entering the room.

98. The dorm room door opened into a square room. However, because of the angle of the door and furniture, an individual standing at the door could not view the entire room. Instead, from the angle at the door, an individual could only view a narrow cone running to the back wall. An individual standing at the door could not see either the right or left walls as they approached the hallway.

99. Moreover, Justin's dorm room included a private bathroom. From the door, an individual could not see into the bathroom.

100. Despite the lack of visibility, Officer Trammell concluded that the Justin was not in the room and attempted to close and lock the door.

101. Justin's parents objected and pointed out that his shoes were visible in the room, suggesting that he was inside.

102. Ms. Randolph closed the door.

103. Officer Trammell then attempted to call Justin. When Justin did not answer, Officer Trammell directed Ms. Randolph to reopen the door, again without allowing anyone to enter the room, and called Justin again. When Justin failed to answer and Officer Trammell did not hear his phone ringing within the room, he directed the door to be closed again.

104. Officer Trammell then told the Altmans that he would not enter the room. He specified that he did not believe there were exigent circumstances to justify entering the room without a warrant.

105. The Altmans objected and, again, clarified that Justin's life was in danger.

106. At Ms. Altmans' insistence, Ms. Randolph contacted her supervisor, Jed Cummins, at approximately 5:01p.m.

107. Mr. Cummins told Ms. Randolph that Housing Staff could not enter the room.

108. Ms. Altman pleaded with UNC staff to open the door again and to go inside to make sure Justin was not dead inside.

109. Ms. Altman told Ms. Brown that Justin had a history of anxiety and self-harm, specifically cutting his arms and legs.

110. Eventually, Officer Trammell contacted his supervisor, Commander Rick McNair, who authorized Officer Trammell to enter the room.

111. Officer Trammell entered Justin's room and looked around. However, when he did not immediately see Justin, he attempted to leave.

112. Again, Justin's parents objected and demanded that he search the bathroom, which was coincidentally closed and locked.

113. The bathroom door was locked from the inside.

114. Ms. Randolph remarked that the bathroom door should not be locked unless someone is inside.

115. Officer Trammell finally unlocked the bathroom door, at which point, the Altmans discovered Justin.

116. This discovery was made at approximately 5:25p.m.

117. Justin had committed suicide by hanging himself in his dorm bathroom.

118. Officer Trammell did not detect a pulse.

119. Officer Trammell called Dispatch for emergency medical services ("EMS") and then called Commander McNair to respond.

120. Only after making these calls did Officer Trammell cut the rope from Justin's neck and begin to do CPR and chest compressions.

121. Officer Trammell did chest compressions for four minutes until Greeley Fire Department ("GFD") arrived on scene and took over.

122. UC Health Paramedics then arrived and began to assist GFD.

123. After GFD examined Justin's body, they concluded that Justin died within two hours of the discovery of his body. At that point, they believed there was only a 50% that he could be resuscitated.

124. A GFD Fire Lieutenant met with the Altmans and explained that while Justin's heart was not beating, he was still exhaling carbon dioxide.

125. The GFD Fire Lieutenant stated that Justin's carbon dioxide levels were at 9 or 10, but that it should be above 25.

126. He stated that, at that point, the odds of Justin survival were less than 10%.

127. After approximately twenty minutes of chest compressions and other medical techniques used to revive Justin, he was declared dead at 5:45p.m.

128. Justin's exact time of death was not determined.

129. Justin's last known time alive was 3:44a.m. on May 3, 2024, when his keycard was registered as he entered his dorm building.

130. Ms. Brown told the investigating officer, Detective Don Jones, that there may have been a Student of Concern report made about Justin within the past year.

131. Justin's Residential Advisor ("RA") had also told Ms. Brown that Justin would not look at him or speak with him when passing in the halls, and that Justin refused to sign up for an individual meeting with him.

132. Between Ms. Altman's initial request that UNC staff conduct a welfare check and the officer finally unlocking the bathroom door, over an hour had passed.

133. UNC's Undergraduate Catalog for the 2023-2024 school year states that the "Counseling Center strives to promote healing, growth, and resiliency . . . through providing access to mental health services on campus."

134. It further states that the Counseling Center accomplishes this through “direct services, training and education, collaboration with campus partners, and advocacy for all students, staff, faculty, and the community.”

i. The circumstances of Justin’s death and the Defendants’ conduct preceding and following his suicide attempt manifest deliberate indifference to his rights and safety.

135. UNC knew that Justin stopped attending classes between February 2024 and May 2024.

136. UNC knew that Justin was not responding to his professors’ emails or texts.

137. UNC knew that Justin’s grades steeply declined during the Fall 2023 semester when compared with his grades in previous semesters.

138. Despite obtaining this knowledge, UNC did not inform Justin’s parents nor did it provide support to Justin.

139. UNC learned that Justin was experiencing a potential mental health crisis on February 1, 2024, when Ms. Altman called and requested a wellness check.

140. At Justin’s memorial service, Mr. Lerach explicitly told Ms. Altman and Mr. Altman that he knew Justin had mental health issues before his death.

141. As agents and employees of UNC, the knowledge of Mr. Lerach and Justin’s other professors is imputed to UNC.

142. UNC knew that Justin was not attending class and was not responding to email or text message communications with his professors.

143. UNC knew that Justin had prior mental health concerns and a had previously been the subject of a Student of Concern Report.

144. A reasonable person with UNC’s knowledge would have understood that Justin had a disability requiring reasonable accommodations.

145. Based on UNC's knowledge, Justin's need for reasonable accommodations was open and obvious.

146. Specifically, Justin required the reasonable accommodation of frequent check-ins on the status of his mental health.

147. UNC failed to provide this reasonable accommodation and failed to otherwise take any action to support Justin.

148. No UNC staff member referred Justin for a Student of Concern Report from February 3, 2024, to his death.

149. UNC learned that Justin was unresponsive again on May 2, 2025. By that point, UNC had actual knowledge of Justin's mental health conditions and of his parents' concerns for his wellbeing. However, rather than taking any useful action, UNC, and its employees, repeatedly prevented Justin's parents from gaining access to his room and rescuing him from his suicide attempt.

150. Defendants Randolph and Brown refused to conduct a welfare check on Justin or to allow his parents access to his room, even under supervision.

151. Defendants Randolph and Brown had knowledge of Justin's lack of contact with his parents and had knowledge of his mental health issues consistent with anxiety and depression.

152. Defendant Brown had specific knowledge of Justin's history of self-harm.

153. Defendant Trammell initially refused to conduct a welfare check despite actual knowledge of the situation and the threat to Justin's health.

154. Defendant Trammell had knowledge of Justin's mental health issues consistent with depression and anxiety.

155. Defendant Trammell had knowledge of the previous welfare check conducted on February 1, 2024.

156. Defendant Trammell also attempted to refuse to enter Justin's room once he unlocked Justin's door and also refused to conduct a complete visual search of Justin's room and bathroom until forced by Justin's parents.

157. Each of these actions critically delayed and undermined Justin's parents attempts to contact and rescue Justin.

158. The timing of these delays was critical.

159. Justin's parents arrived at UNC at 4:15p.m.

160. UNC and its employees delayed Justin's parent from entering his room and discovering his body by over an hour.

161. When emergency services were finally provided to Justin, he still had carbon dioxide in his blood.

162. Had UNC and its employees not unnecessarily delayed the Altmans, Justin would have received lifesaving services sooner and would have had a higher chance of resuscitation.

163. UNC's and its employees' actions actually prevented Justin's parents from rescuing their son.

V. LEGAL CLAIMS

COUNT I WRONGFUL DEATH, PURSUANT TO C.R.S. § 13-21-202

*Against Defendant Brown, Defendant Randolph, and Defendant Trammell
by Plaintiffs James Altman and Joy Altman*

164. Plaintiffs reallege and incorporate, by reference, all previous paragraphs of the Complaint herein.

165. Plaintiffs complied with the provisions of C.R.S. § 24-10-109.

166. C.R.S. § 13-21-202 (the “Wrongful Death Act”) recognizes that “[w]hen the death of a person is caused by a wrongful act, neglect, or default of another, and the act, neglect, or default is such as would, if death had not ensued, have entitled the party injured to maintain an action and recover damages in respect thereof, then, and in every such case, the person who or the corporation which would have been liable, if death had not ensued, shall be liable in an action for damages notwithstanding the death of the party injured.

167. Pursuant to C.R.S. § 13-21-201(1)(c)(I), James Altman and Joy Altman are proper plaintiffs in a claim for Justin Altman’s wrongful death.

168. The Colorado Governmental Immunity Act (“CGIA”) maps onto the Wrongful Death Act and permits a party to bring a wrongful death action against governmental entities or employees. *Steedle v. Sereff*, 167 P.3d 135, 139 (Colo. 2007).

169. To state a claim against a public employee in tort, the plaintiff must allege that there is a waiver of immunity under the Colorado Governmental Immunity Act (“CGIA”).

170. The CGIA provides that public employees are “immune from liability in any claim for injury. . . which lies in tort or could lie in tort . . . and which arises out of an act or omission of such employee occurring during the performance of his duties and within the scope of his employment unless the act or omission causing such injury was willful and wanton.” C.R.S. § 24-10-118(2)(a).

171. The burden placed on plaintiffs to prove that a public employee has waived their right to immunity is “lenient,” as there is no presumption of immunity. *Duke v. Gunnison Cnty. Sheriff’s Off.*, 2019 COA 170, ¶ 32.

172. Colorado courts construe immunity provisions strictly, and waiver provisions broadly. *Maphis v. City of Boulder*, 2022 CO 10, ¶ 17.

173. A defendant's conduct is willful and wanton if they exhibit "a conscious disregard of the danger." *Martinez v. Est. of Bleck*, 2016 CO 58, ¶ 32.

174. Defendants are not entitled to governmental immunity because their conduct was willful and wanton.

175. Each Defendant was aware that Justin had a history of mental health issues consistent with anxiety and depression.

176. Defendant Brown specifically had knowledge of Justin's history of self-harm.

177. Each Defendant knew that Justin's parents were unable to contact him in person by going to his room that day.

178. Each Defendant knew that Justin's parents believed his life was in danger.

179. Despite actual knowledge of an ongoing mental health crisis, Defendants repeatedly, and individually, refused to allow Justin's parents access to his room.

180. Defendant Brown, Defendant Randolph, and Defendant Trammell individually refused to allow Justin's parents access to his room.

181. Each Defendant individually refused to conduct a welfare check on Justin.

182. Defendants Brown and Randolph refused to allow the Altmans entry to Justin's room.

183. Defendant Trammell refused to allow the Altmans entry to Justin's room.

184. Defendant Trammell himself refused to actually enter Justin's room and delayed searching Justin's room.

185. Defendants acted willfully and wantonly: each was aware of the danger to Justin's life but exhibited a conscious disregard for this danger by delaying his parents' access to his room, and ultimately, delaying Justin's access to medical care.

186. Thus, Defendants are not entitled to immunity.

187. All Defendants were negligent in responding to the Altmans' pleas for help for their son.

188. All Defendants breached their duty of care.

189. Defendants' negligence was the direct and proximate cause of Justin's death.

190. Defendants had actual knowledge of the risk to Justin's life posed by his mental health status.

191. Despite this knowledge, Defendants delayed and impaired Justin's access to medical care.

192. If Justin had received timely medical care, it could have prevented his death.

193. As a result of Justin's wrongful and untimely death, Plaintiffs have suffered economic and non-economic damages, in an amount to be proven at trial.

194. Pursuant to C.R.S. 13-17-201(2), this good faith, non-frivolous claim is made for the express purpose of extending the waiver of CGIA immunity, C.R.S. § 24-10-118(2)(a). Plaintiff has found no case law regarding CGIA's application in circumstances such as those plead herein, and thus, the issues in this complaint present matters of first impression.

COUNT II
C.R.S. § 13-21-101

*Against Defendant Brown, Defendant Randolph, and Defendant Trammell
by Plaintiff James Altman*

195. Plaintiffs reallege and incorporate, by reference, all previous paragraphs of the Complaint herein.

196. Plaintiffs complied with the provisions of C.R.S. § 24-10-109.

197. Plaintiff James Altman, as the personal representative of the estate of Justin Altman, incurred medical expenses, funeral expenses, and other economic damages.

198. Pursuant to C.R.S. § 13-20-101(1), Plaintiff James Altman, as the personal representative of the estate of Justin Altman, is entitled to recover for medical expenses, funeral expenses, and other economic damages.

199. Pursuant to C.R.S. 13-17-201(2), this good faith, non-frivolous claim is made for the express purpose of extending the waiver of CGIA immunity, C.R.S. § 24-10-118(2)(a). Plaintiff has found no case law regarding CGIA's application in circumstances such as those plead herein, and thus, the issues in this complaint present matters of first impression.

CLAIM III WILLFUL AND WANTON NEGLIGENCE

*Against Defendant Brown, Defendant Randolph, and Defendant Trammell
by Plaintiffs James Altman and Joy Altman*

200. Plaintiffs reallege and incorporate, by reference, all previous paragraphs of the Complaint herein.

201. Plaintiffs complied with the provisions of C.R.S. § 24-10-109.

202. Defendants are not entitled to immunity because their conduct was willful and wanton.

203. To state a willful and wanton negligence claim, a plaintiff must plead: (1) the defendant purposely acted or failed to act; (2) the act or omission was done heedlessly and recklessly, without regard to the rights and safety of the plaintiff. *See* CJI (4th) 9:30.

204. Each Defendant had actual knowledge that: the Altmans believed Justin’s life was in imminent danger and that they had been unable to contact Justin by going directly to his room.

205. Defendants actively impaired the Altmans’ ability to check on Justin’s welfare.

206. Defendants’ actions exhibited a conscious disregard for Justin’s rights and safety.

207. As a result of Defendant’s willful and wanton conduct, Plaintiffs suffered damages.

208. Pursuant to C.R.S. 13-17-201(2), this good faith, non-frivolous claim is made for the express purpose of extending the waiver of CGIA immunity, C.R.S. § 24-10-118(2)(a). Plaintiff has found no case law regarding CGIA’s application in circumstances such as those plead herein, and thus, the issues in this complaint present matters of first impression.

CLAIM IV
VIOLATION OF SECTION 504 OF THE REHABILITATION ACT

Against Defendant Board of Trustees
by Estate of Justin Altman

209. Plaintiff realleges and incorporates, by reference, all previous paragraphs of the Complaint herein.

210. Pursuant to Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and its regulation “[n]o otherwise qualified individual with a disability . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance . . .” 29 U.S.C. § 794(a).

211. Plaintiff is a person with a disability within the meaning of 29 U.S.C. § 794.

212. Depression constitutes a mental impairment. *E.g., Pritchard v. Southern Co. Servs.*, 92 F.3d 1130, 1132 (11th Cir. 1996).

213. Plaintiff's mental health issues consistent with depression and anxiety, and his suicidal ideation substantially impaired major life activities including but not limited to caring for oneself, thinking, concentrating, learning, and communicating.

214. Plaintiff was otherwise qualified to participate in Defendant UNC's programs and activities.

215. Plaintiff was an enrolled undergraduate student in good academic standing.

216. Defendant UNC is a recipient of federal financial assistance and thus is a covered entity under 29 U.S.C. § 794.

217. Defendant UNC intentionally discriminated against Plaintiff by excluding him from participation in and denying him the benefits of Defendant's programs or activities solely because of his disability in violation of 29 U.S.C. § 794 and its implementing regulations.

218. Defendant UNC knew or should have known that Plaintiff was an individual with a disability.

219. Defendant UNC knew that Plaintiff's grades suffered a steep decline in the Fall 2023 semester compared to his performance in previous years.

220. Defendant UNC knew that Plaintiff stopped attending class between February 2024 and May 2024.

221. Defendant UNC knew that Plaintiff's professors had unsuccessfully attempted to contact Plaintiff by email and text between February 2024 and May 2024.

222. Defendant UNC knew that Ms. Altman called and requested a wellness check on February 1, 2024.

223. Defendant UNC's employee, Mr. Lerach knew that Plaintiff had mental health issues consistent with anxiety and depression prior to his death.

224. Based on its knowledge, Defendant UNC knew or should have known that Plaintiff had depression and anxiety.

225. Defendant UNC knew or should have known that because of his disability, Plaintiff required reasonable accommodations to access its programs and activities.

226. Plaintiff's disability and need for necessary accommodations was open, obvious, and apparent to UNC.

227. Specifically, Plaintiff required the reasonable accommodation of Defendant UNC and Plaintiff's parents conducting frequent check-ins on Plaintiff's well-being.

228. Defendant UNC failed to provide frequent check-ins on Plaintiff's well-being.

229. Further, Defendant UNC impeded Plaintiff's parents from checking in on Plaintiff's well-being on May 3, 2024.

230. Defendant UNC refused to permit Plaintiff's parents to enter his dormitory room to conduct a wellness check for over an hour.

231. Through its actions and inactions, Defendant UNC denied Plaintiff reasonable accommodations.

232. To recover compensatory damages under Section 504, a plaintiff must prove intentional discrimination on the part of the defendant.

233. "[I]ntentional discrimination can be inferred from a defendant's deliberate indifference to the strong likelihood that pursuit of its questioned policies will likely result in a violation of federally protected rights." *Powers v. MJB Acquisition Corp.*, 184 F.3d 1147, 1153 (10th Cir. 1999).

234. Defendant UNC's denial of reasonable accommodations manifested deliberate indifference to Plaintiff's rights.

235. Defendant UNC knew or should have known that Plaintiff required reasonable accommodations but failed to provide them.

236. Thus, Defendant UNC knew that harm to Plaintiff's rights under Section 504 was substantially likely.

237. Defendant UNC failed to act upon that likelihood of harm.

238. Defendant UNC did not provide reasonable accommodations to Plaintiff and hindered his parents from checking on Plaintiff's wellbeing.

239. As a direct and proximate cause of Defendant UNC's violation of Section 504, Plaintiff suffered damages.

CLAIM V
VIOLATION OF TITLE II OF THE AMERICANS WITH DISABILITIES ACT

*Against Defendant Board of Trustees
by Estate of Justin Altman*

240. Plaintiff realleges and incorporates, by reference, all previous paragraphs of the Complaint herein.

241. Title II of the ADA and its regulations provide that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132.

242. Plaintiff is a person with a disability within the meaning of 42 U.S.C. § 12102.

243. Defendant is a public governmental entity subject to the provisions of the ADA. 42 U.S.C. § 12131(1).

244. Defendant UNC intentionally discriminated against Plaintiff by excluding him from participation in and denying him the benefits of Defendant's programs or activities solely because of his disability in violation of 42 U.S.C. § 12132 and its implementing regulations.

245. Defendant UNC knew or should have known that Plaintiff was an individual with a disability.

246. Defendant UNC knew that Plaintiff's grades suffered a steep decline in the Fall 2023 semester compared to his performance in previous years.

247. Defendant UNC knew that Plaintiff stopped attending class between February 2024 and May 2024.

248. Defendant UNC knew that Plaintiff's professors had unsuccessfully attempted to contact Plaintiff by email and text between February 2024 and May 2024.

249. Defendant UNC knew that Ms. Altman called and requested a wellness check on February 1, 2024.

250. Defendant UNC's employee, Mr. Lerach knew that Plaintiff had mental health issues consistent with anxiety and depression prior to his death.

251. Based on its knowledge, Defendant UNC knew or should have known that Plaintiff had depression and anxiety.

252. Defendant UNC knew or should have known that because of his disability, Plaintiff required reasonable accommodations to access its programs and activities.

253. Plaintiff's disability and need for necessary accommodations was open, obvious, and apparent to UNC.

254. Specifically, Plaintiff required the reasonable accommodation of Defendant UNC and Plaintiff's parents conducting check-ins on Plaintiff's well-being.

255. Defendant UNC failed to provide frequent check-ins on Plaintiff's well-being.

256. Further, Defendant UNC impeded Plaintiff's parents from checking in on Plaintiff's well-being on May 3, 2024.

257. Defendant UNC refused to permit Plaintiff's parents to enter his dormitory room to conduct a wellness check for over an hour.

258. Through its actions and inactions, Defendant UNC denied Plaintiff reasonable accommodations.

259. To recover compensatory damages under the ADA, a plaintiff must prove intentional discrimination on the part of the defendant.

260. "[I]ntentional discrimination can be inferred from a defendant's deliberate indifference to the strong likelihood that pursuit of its questioned policies will likely result in a violation of federally protected rights." *Powers v. MJB Acquisition Corp.*, 184 F.3d 1147, 1153 (10th Cir. 1999).

261. Defendant UNC's denial of reasonable accommodations manifested deliberate indifference to Plaintiff's rights.

262. Defendant UNC knew or should have known that Plaintiff required reasonable accommodations but failed to provide them.

263. Thus, Defendant UNC knew that harm to Plaintiff's rights under the ADA was substantially likely.

264. Defendant UNC failed to act upon that likelihood of harm.

265. Defendant UNC did not provide reasonable accommodations to Plaintiff and hindered his parents from checking on Plaintiff's wellbeing.

266. As a direct and proximate cause of Defendant UNC's violation of the ADA, Plaintiff suffered damages.

**CLAIM VI
VIOLATION OF THE COLORADO ANTI-DISCRIMINATION ACT**

*Against Defendant Board of Trustees
by Estate of Justin Altman*

267. Plaintiff realleges and incorporates, by reference, all previous paragraphs of the Complaint herein.

268. The Colorado Anti-Discrimination Act ("CADA") affirms that it is the policy of the State of Colorado "[t]o encourage and enable...individuals with a disability to participate fully in social, employment, and educational opportunities... on the same terms and conditions as individuals without a disability" and "[t]hat...individuals with a disability must not be excluded, by reason of his or her disability, from participation in or be denied the benefits of the services, programs, or activities of any public entity or be subject to discrimination by any public entity." C.R.S. §24-34-801 (1)(a),(d). These rights are codified as a Civil Right in the Colorado Revised Statutes.

269. Defendant UNC is a public entity subject to the provisions of CADA. C.R.S. § 24-34-301.

270. Plaintiff is an individual with a disability under C.R.S. § 24-34-301(7).

271. Defendant UNC intentionally discriminated against Plaintiff by excluding him from participation in and denying him the benefits of Defendant's programs or activities solely because of his disability in violation of 42 U.S.C. § 12132 and its implementing regulations.

272. Defendant UNC knew or should have known that Plaintiff was an individual with a disability.

273. Defendant UNC knew that Plaintiff's grades suffered a steep decline in the Fall 2023 semester compared to his performance in previous years.

274. Defendant UNC knew that Plaintiff stopped attending class between February 2024 and May 2024.

275. Defendant UNC knew that Plaintiff's professors had unsuccessfully attempted to contact Plaintiff by email and text between February 2024 and May 2024.

276. Defendant UNC knew that Ms. Altman called and requested a wellness check on February 1, 2024.

277. Defendant UNC's employee, Mr. Lerach knew that Plaintiff had mental health issues consistent with anxiety and depression prior to his death.

278. Based on its knowledge, Defendant UNC knew or should have known that Plaintiff had depression and anxiety.

279. Defendant UNC knew or should have known that because of his disability, Plaintiff required reasonable accommodations to access its programs and activities.

280. Plaintiff's disability and need for necessary accommodations was open, obvious, and apparent to UNC.

281. Specifically, Plaintiff required the reasonable accommodation of Defendant UNC and Plaintiff's parents conducting check-ins on Plaintiff's well-being.

282. Defendant UNC failed to provide frequent check-ins on Plaintiff's well-being.

283. Further, Defendant UNC impeded Plaintiff's parents from checking in on Plaintiff's well-being on May 3, 2024.

284. Defendant UNC refused to permit Plaintiff's parents to enter his dormitory room to conduct a wellness check for over an hour.

285. Through its actions and inactions, Defendant UNC denied Plaintiff reasonable accommodations.

286. To recover compensatory damages under CADA, a plaintiff must prove intentional discrimination on the part of the defendant. *See* C.R.S. § 24-34-602(4) (courts apply the standards and defenses available under the ADA to CADA claims).

287. "[I]ntentional discrimination can be inferred from a defendant's deliberate indifference to the strong likelihood that pursuit of its questioned policies will likely result in a violation of federally protected rights." *Powers v. MJB Acquisition Corp.*, 184 F.3d 1147, 1153 (10th Cir. 1999).

288. Defendant UNC's denial of reasonable accommodations manifested deliberate indifference to Plaintiff's rights.

289. Defendant UNC knew or should have known that Plaintiff required reasonable accommodations but failed to provide them.

290. Thus, Defendant UNC knew that harm to Plaintiff's rights under CADA was substantially likely.

291. Defendant UNC failed to act upon that likelihood of harm.

292. Defendant UNC did not provide reasonable accommodations to Plaintiff and hindered his parents from checking on Plaintiff's wellbeing.

293. As a direct and proximate cause of Defendant UNC's violation of CADA, Plaintiff suffered damages.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request the following relief:

A. Find that Defendants violated state and federal law;

- B. Find that Plaintiffs are the prevailing party;
- C. Award Plaintiffs money damages, including compensatory, economic, non-economic, special, and punitive damages against Defendants in an amount to be established at trial;
- D. Award Plaintiff nominal damages for violation of his rights under Section 504, the ADA, and CADA, in the event compensatory damages are not awarded;
- E. Pre-judgment interest on all damages;
- F. Post-judgment interest;
- G. Award Plaintiffs their reasonable attorneys' fees and costs; and
- H. Any other relief deemed necessary or appropriate.

PLAINTIFF REQUESTS A JURY ON ALL ISSUES SO TRIABLE

Respectfully submitted this November 3, 2025.

Kishinevsky and Raykin, LLC

/s/Igor Raykin

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JS 44 (Rev. 11/15) District of Colorado Form

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

ESTATE OF JUSTIN ALTMAN,

James Altman, individually and as the personal representative of the Estate of Justin Altman, Joy Altman

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

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

Igor Raykin, Conor O' Donnell and Kaity Tuohy 2851 S Parker Rd, Suite 150, Aurora, CO 80014720.863.4256 Igor@coloradolawteam.com, Conor@coloradolawteam.com, Kaity@coloradolawteam.com

DEFENDANTS

BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTHERN COLORADO, DANICA BROWN, JALA RANDOLPH; AND JOHN TRAMMELL

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

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

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

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 840 Trademark SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes

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

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

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
29 U.S.C. § 794.Brief description of cause:
Disability Discrimination☐ AP Docket

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
11/02/2025SIGNATURE OF ATTORNEY OF RECORD
Igor Raykin

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 six 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. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- 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; OR "AP Docket."
- 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.