

17 CV 0742

JS 44C/SDNY
REV. 07/08/16

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 use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

MF GLOBAL HOLDINGS LTD., as Plan Administrator, and MF GLOBAL ASSIGNED ASSETS LLC.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Jones Day, 250 Vesey Street, NY, NY 10281 (212) 326-3939

DEFENDANTS

ALLIED WORLD ASSURANCE COMPANY, LTD., IRON-STARR EXCESS AGENCY LTD., IRONSHORE INSURANCE LTD., STARR INSURANCE & REINSURANCE LIMITED., AND FEDERAL INSURANCE COMPANY.

ATTORNEYS (IF KNOWN)

Cravath, Swaine & Moore LLP 825 8th Avenue NY, NY 10036 (212) 474-1000
White & Williams LLP, 7 Times Square, NY, NY 10036 (212) 868-4837
D'Amato & Lynch LLP, 225 Liberty St., NY, NY 10281 (212) 269-0927
Morgan & Lewis & Clark LLP, 975 Third Ave., NY, NY 10022 (212) 810-3000CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Declaratory Judgment pursuant to 28 U.S.C. 2201(a); breach of contract

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☐ Yes ☒

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY
[] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	21 USC 881
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	[] 365 PERSONAL INJURY	[] 690 OTHER
INSTRUMENT	SLANDER	PRODUCT LIABILITY	
[] 150 RECOVERY OF	[] 330 FEDERAL	[] 368 ASBESTOS PERSONAL	
OVERPAYMENT &	EMPLOYERS'	INJURY PRODUCT	
ENFORCEMENT	LIABILITY	LIABILITY	
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD	
[] 152 RECOVERY OF	LIABILITY	[] 371 TRUTH IN LENDING	
DEFAULTED	[] 350 MOTOR VEHICLE		
STUDENT LOANS	[] 355 MOTOR VEHICLE		
(EXCL VETERANS)	PRODUCT LIABILITY		
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	
OVERPAYMENT	INJURY	PROPERTY DAMAGE	
OF VETERANS	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	
[] 160 STOCKHOLDERS		PRISONER PETITIONS	
SUITS		[] 403 ALIEN DETAINEE	
[] 190 OTHER		[] 510 MOTIONS TO	
CONTRACT		VACATE SENTENCE	
[] 195 CONTRACT		28 USC 2255	
PRODUCT		[] 530 HABEAS CORPUS	
LIABILITY		[] 535 DEATH PENALTY	
[] 196 FRANCHISE		[] 540 MANDAMUS & OTHER	
	ACTIONS UNDER STATUTES		
	CIVIL RIGHTS		
	[] 440 OTHER CIVIL RIGHTS		
	(Non-Prisoner)		
	[] 441 VOTING		
	[] 442 EMPLOYMENT		
	[] 443 HOUSING/		
	ACCOMMODATIONS		
	[] 445 AMERICANS WITH		
	DISABILITIES -		
	EMPLOYMENT		
	[] 446 AMERICANS WITH		
	DISABILITIES -OTHER		
	[] 448 EDUCATION		
REAL PROPERTY		PRISONER CIVIL RIGHTS	
[] 210 LAND		[] 550 CIVIL RIGHTS	
CONDEMNATION		[] 555 PRISON CONDITION	
[] 220 FORECLOSURE		[] 560 CIVIL DETAINEE	
[] 230 RENT LEASE &		CONDITIONS OF CONFINEMENT	
EJECTMENT			
[] 240 TORTS TO LAND			
[] 245 TORT PRODUCT			
LIABILITY			
[] 290 ALL OTHER			
REAL PROPERTY			

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$25 mm. OTHER \$40 mm.

JUDGE Sweet

DOCKET NUMBER 17-cv-106-RWS

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

17-cv-113-RWS

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☒ a. all parties represented
 ☐ b. At least one party is pro se.
 ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21. DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 01/26/2017 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO
☒ YES (DATE ADMITTED Mo. 11 Yr. 2008)
 Attorney Bar Code #4499356

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)