

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
ELSEVIER INC., ELSEVIER B.V., ELSEVIER LTD.

DEFENDANTS
SCI-HUB d/b/a WWW.SCI-HUB.ORG, THE LIBRARY GENESIS PROJECT d/
b/a LIBGEN.ORG, ALEXANDRA ELBAKYAN, JOHN DOES 1-99

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
DeVore & DeMarco LLP
99 Park Avenue, Suite 1100, New York, NY 10016
(212-922-9499)

ATTORNEYS (IF KNOWN)

CAUSE 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(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Copyright Infringement (17 U.S.C. § 106); Computer Fraud & Abuse Act (18 U.S.C. § 1030)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If 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/ PHARMACEUTICAL PERSONAL	[] 625 DRUG RELATED
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 690 OTHER
[] 150 RECOVERY OF	SLANDER	[] 368 ASBESTOS PERSONAL	
OVERPAYMENT &	[] 330 FEDERAL	INJURY PRODUCT	
ENFORCEMENT	EMPLOYERS'	LIABILITY	
OF JUDGMENT	LIABILITY	PERSONAL PROPERTY	
[] 151 MEDICARE ACT	[] 340 MARINE	[] 370 OTHER FRAUD	
[] 152 RECOVERY OF	[] 345 MARINE PRODUCT	[] 371 TRUTH IN LENDING	
DEFAULTED	LIABILITY		
STUDENT LOANS	[] 350 MOTOR VEHICLE		
(EXCL VETERANS)	[] 355 MOTOR VEHICLE		
[] 153 RECOVERY OF	PRODUCT LIABILITY		
OVERPAYMENT	[] 360 OTHER PERSONAL		
OF VETERAN'S	INJURY	[] 380 OTHER PERSONAL	
BENEFITS	[] 362 PERSONAL INJURY -	PROPERTY DAMAGE	
[] 160 STOCKHOLDERS	MED MALPRACTICE	[] 385 PROPERTY DAMAGE	
SUITS		PRODUCT LIABILITY	
[] 190 OTHER	ACTIONS UNDER STATUTES	PRISONER PETITIONS	
CONTRACT	CIVIL RIGHTS	[] 463 ALIEN DETAINEE	
[] 195 CONTRACT	[] 440 OTHER CIVIL RIGHTS	[] 510 MOTIONS TO	
PRODUCT	(Non-Prisoner)	VACATE SENTENCE	
LIABILITY	[] 441 VOTING	28 USC 2255	
[] 196 FRANCHISE	[] 442 EMPLOYMENT	[] 530 HABEAS CORPUS	
	[] 443 HOUSING/	[] 535 DEATH PENALTY	
	ACCOMMODATIONS	[] 540 MANDAMUS & OTHER	
REAL PROPERTY	[] 445 AMERICANS WITH		
[] 210 LAND	DISABILITIES -	PRISONER CIVIL RIGHTS	
CONDEMNATION	EMPLOYMENT	[] 550 CIVIL RIGHTS	
[] 220 FORECLOSURE	[] 446 AMERICANS WITH	[] 555 PRISON CONDITION	
[] 230 RENT LEASE &	DISABILITIES -OTHER	[] 560 CIVIL DETAINEE	
EJECTMENT	[] 448 EDUCATION	CONDITIONS OF CONFINEMENT	
[] 240 TORTS TO LAND		IMMIGRATION	
[] 245 TORT PRODUCT		[] 462 NATURALIZATION	
LIABILITY		APPLICATION	
[] 290 ALL OTHER		[] 465 OTHER IMMIGRATION	
REAL PROPERTY		ACTIONS	

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y. IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: YES NO

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
- 7 Appeal to District Judge from Magistrate Judge Judgment
- a. all parties represented
- b. At least one party is pro se.

(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 []	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF []	DEF []	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF []	DEF []
CITIZEN OF ANOTHER STATE	[]	[]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[]	[]	FOREIGN NATION	[]	[]

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

Elsevier Inc. - 360 Park Avenue South, New York, New York 10010
 Elsevier B.V. - Radarweg 29, Amsterdam, 1043 NX, Netherlands
 Elsevier Ltd. - 32 Jamestown Road London, NW1 7BY, United Kingdom

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

Alexandra Elbakyan - Zhumabaeva, 172, Almaty, Kazakhstan 050014

DEFENDANT(S) ADDRESS UNKNOWN

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

SCI-HUB d/b/a WWW.SCI-HUB.ORG
 THE LIBRARY GENESIS PROJECT d/b/a LIBGEN.ORG
 JOHN DOES 1-99

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN
 (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE June 3, 2015 SIGNATURE OF ATTORNEY OF RECORD


ADMITTED TO PRACTICE IN THIS DISTRICT
 NO
 YES (DATE ADMITTED Mo. March Yr. 1994)
 Attorney Bar Code # JVD3499

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)