

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DARYOUSH TAHA  
29 MEADOWRUE LANE  
SICKLERSVILLE, NJ 08081**

**VS.**

**BENSALEM TOWNSHIP  
2400 BYBERRY ROAD  
BENSALEM, PA. 19020**

**AND**

**DIRECTOR OF PUBLIC SAFETY,  
STEVEN MORAN  
2400 BYBERRY ROAD  
BENSALEM, PA. 19020**

**AND**

**LT. CHRISTOPHER M. BARRY, SR.  
BADGE #71  
2400 BYBERRY ROAD  
BENSALEM, PA. 19020**

**AND**

**CHING-O-CHANG, LLC, d/b/a  
MUGSHOTS.COM (fictitious name)  
40 GREEN POND LANE,  
GLENMOORE, PA 19343**

**CIVIL ACTION**

**JURY TRIAL DEMANDED**

**NO.**

**COMPLAINT - CIVIL ACTION**

**Introduction:**

1. Plaintiff, Daryoush Taha, brings this action for injunctive relief and damages, pursuant to the Pennsylvania Criminal History Records Information Act, 18 Pa. Cons. Stat. §§ 9101-83 (hereinafter referred to as the “CHRIA”) and the common laws of Pennsylvania.

**Parties:**

2. Plaintiff, Daryoush Taha, is a citizen of the State of New Jersey, residing as captioned.
3. Defendant, Bensalem Township, is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal offices located as captioned.

4. Defendant, Director of Public Safety Steven Moran, was at all material times the ultimate authority within the Bensalem Township Police Department, and was charged with upholding the laws of Bensalem Township, as well as the Laws and Constitutions of the Commonwealth of Pennsylvania and the United States of America.
5. Defendant, Director of Public Safety Steven Moran is being sued both individually and in his official capacity as an officer, agent and/or employee of the Bensalem Township Police Department and the defendant, Bensalem Township.
6. At all material times, defendants, Bensalem Township and Director of Public Safety Steven Moran, were charged with the responsibility of testing, hiring, training, supervising and disciplining members of the Bensalem Township Police Department including in particular, the defendant, Lt. Christopher Barry, Sr.
7. Defendant, Lt. Christopher Barry, Sr., was at all material times employed as a lieutenant with the Bensalem Township Police Department.
8. Lt. Christopher Barry, Sr., is being sued both individually and in his official capacity as an officer, agent and/or employee of the defendant, Bensalem Township.
9. At all material times, defendants, Lt. Christopher Barry, Sr. and Steven Moran, acted within the course and scope of their employment, under the color of state law and pursuant to the customs, policies and/or practices of the Bensalem Township Police Department, and defendant, Bensalem Township.
10. Defendant, Ching-O-Chang, LLC, doing business as “Mugshots.com” (fictitious name) is a limited liability corporation, organized and existing pursuant to Pennsylvania law, with a registered office located as captioned.

**Jurisdiction & Venue:**

1. This court has diversity jurisdiction pursuant to 28 U.S.C. § 1332, because the amount in controversy exceeds \$75,000.00 and the plaintiff is a citizen and resident of the State of New

Jersey while the Commonwealth of Pennsylvania is the lawful residence and/or principal place of business of all defendants.

2. Venue is proper under 28 U.S.C. § 1391(b) because the cause of action upon which the complaint is based arose in Bensalem Township, Pennsylvania, which is in the Eastern District of Pennsylvania.

**Factual Averments:**

3. On or about September 29, 1998, the plaintiff was arrested by members of the Bensalem Police Department and charged with a number of offenses.
4. The plaintiff contested the validity of his arrest and filed a civil action complaint against Bensalem Township and various officers for false arrest, false imprisonment, malicious prosecution, excessive force, and related state claims on September 28, 2000. *See Exhibit "A."*
5. On or about January 5, 1999, the plaintiff was placed in Accelerated Rehabilitative Disposition ("ARD") for one year, in relation to one of five counts, and all other charges were either discharged or nol prossed. *See Exhibit "B."*
6. While plaintiff strongly believed himself to be innocent of all charges, the plaintiff nonetheless accepted ARD in order to secure the automatic expungement of all charges and avoid the damage to his reputation and career prospects that would arise from having a criminal record.
7. On or about January 5, 2000, the Plaintiff completed his period of ARD without incident. *See Exhibit "C."*
8. On or about January 31, 2000, President Judge R. Barry McAndrews, of the Court of Common Pleas of Bucks County, issued an Order, directing the Bensalem Police Department to expunge "the arrest record and other criminal records of the defendant [Daryoush Taha] in this matter.... Request, in so far as it is able, the return of such records as it has made available to Federal and State agencies and that it destroys such records on receipt thereof... [and] file with

the Bucks County Clerk of Courts – Criminal Division, an Affidavit stating that said records have been EXPUNGED or destroyed within 30 days of this Order.” *A true and correct copy of the Order of Expungement is attached hereto as Exhibit “D.”*

9. On March 30, 2000, the plaintiff’s attorney wrote to the defendant, Steven Moran, of the Bensalem Township Police Department, advising defendants of the Order of Expungement and requesting that a copy of the Affidavit of Expungement be forwarded to counsel’s office. *A true and correct copy of said letter is attached as Exhibit “E”.*
10. On April 5, 2000, the defendant, Lt. Barry, wrote to Plaintiff’s attorney, denying that official notice of the Order of Expungement had been received by Defendants.
11. On May 5, 2000, Plaintiff’s attorney wrote back to the defendant, Lt. Barry, enclosing a copy of the Order of Expungement and requesting that the Defendant comply with the Order. *A true and correct copy of said letter is attached as Exhibit “C”.*
12. On May 23, 2000, the defendant, Lt. Barry, wrote to the plaintiff’s attorney, acknowledging receipt of the Order, and stated that “The Bensalem Township Police Department has complied with the Expungement order by removing the records from our publically accessible files. However, the reports have been preserved in a secure location in a legal file so as to allow for the defense of the civil action that is being pursued by your client [plaintiff, Daryoush Taha].” *A true and correct copy of said letter is attached hereto as Exhibit “G”.*
13. Upon information and belief, the defendants, Lt. Barry, Bensalem Township, and/or Steven Moran failed to expunge the plaintiff’s records, as required by the January 23, 2000 Order.
14. On or about June 27, 2000, Defendant, Lt. Barry wrote to the plaintiff’s counsel enclosing verifications that the Pennsylvania State Police and Federal Bureau of Investigation had expunged the Plaintiff’s criminal records from their files. *See Exhibit “H.”*

15. Plaintiff's civil action against the arresting officers settled out of court. *See Exhibit "I."*

16. On December 23, 2011, more than three (13) years had passed since the date of Plaintiff's arrest.

17. On December 23, 2011, no conviction had occurred resulting from the Plaintiff's arrest.

18. On December 23, 2011, no criminal proceedings were pending against the plaintiff.

19. Notwithstanding the above, on December 23, 2011, the defendants, Bensalem Township, Lt. Barry and/or Steven Moran, disseminated the plaintiff's criminal history record information, including the plaintiff's mugshot, to Defendant, Ching-O-Chang, LLC, without extracting from the record all notations of arrest, indictments and/or other information relating to the initiation of criminal proceedings. *See Exhibit "J."*

20. Defendant, Ching-O-Chang, LLC, is not a criminal justice agency.

21. To the contrary, upon information and belief, Defendant, Ching-O-Chang, LLC, is a limited liability corporation, d/b/a "Mugshots.com," which is in the business of publishing the criminal records of various individuals on its website, and allowing internet users to comment on such photographs, in order to draw social media attention to the individual's photograph, earn advertising revenue from same, and extract a \$400.00 fee from the publically disgraced individual in order to "unpublish" their photograph and information from the website.

22. Having unlawfully obtained the plaintiff's criminal history record information, the defendant, Ching-O-Chang, LLC, further disseminated the plaintiff's information on its website, by posting the plaintiff's name, "mugshot," date of birth, and physical description, along with the plaintiff's date of confinement, date of release, county in which he was arrested, and a partial list of the charges arising from the plaintiff's arrest, none of which charges resulted in a conviction, and all of which had been ordered to be expunged within thirty days of January 31,

2000.

23. As a direct and proximate result of the aforementioned acts and conduct of the defendants, jointly and/or severally, the plaintiff, Daryoush Taha, suffered damages including, but not limited to: damage to his reputation, anxiety, frustration, emotional distress, embarrassment, the invasion of his privacy, and the deprivation of the benefit of bargain in accepting the ARD plea agreement.
24. As a further direct and proximate result of the aforementioned conduct of the defendants, jointly and/or severally, the plaintiff, Daryoush Taha, has been obliged to and may continue to expend various sums of money and to incur various expenditures for legal counseling and representation.
25. As a further direct and proximate result of the aforementioned conduct of the defendants, jointly and/or severally, the plaintiff, Daryoush Taha, has and will hereinafter incur other financial expenses and losses.

**COUNT I – 18 Pa.C.S. § 9183**  
**FAILURE TO EXPUNGE RECORDS PURSUANT TO A COURT ORDER**  
**DARYOUSH TAHA V. STEVEN MORAN, LT. CHRISTOPHER BARRY**  
**AND BENSALEM TOWNSHIP**

26. Paragraphs 1 through 25 are incorporated herein by reference, as though fully set forth at length.
27. As aforesaid, defendants, Director of Public Safety Steven Moran and/or Lt. Christopher Barry, while acting within the course and scope of their employment, under the color of state law, and pursuant to the customs, policies and practices of the Bensalem Township Police Department and Defendant, Bensalem Township, refused and/or failed to expunge the plaintiff's criminal history records information pursuant to the January 31, 2000 Order of Expungement.
28. Plaintiff believes, and therefore avers, that the defendants willfully, intentionally and maliciously refused and/or failed to expunge the plaintiff's records in order to retaliate against the

plaintiff for pursuing a civil action against fellow officers of the Bensalem Township Police Department.

29. The defendants' refusal and/or failure to expunge the plaintiff's criminal history information pursuant to an Order of Expungement was in violation of the CHRIA, 18 Pa.C.S. § (a)(2).

30. The plaintiff has been aggrieved by the defendants' violation of the CHRIA, and continues to be aggrieved by said violation, as more fully described above.

31. The plaintiff, in the exercise of reasonable diligence, was unable to discover the above described violation of the CHRIA until approximately October 2012, when the plaintiff learned that his "mugshot" and criminal history record information had been published online in December 2011.

32. Defendant's willful violation of the CHRIA entitles the plaintiff to punitive damages.

33. The plaintiff believes, and therefore avers, that the damage from the defendants' violation of the act is ongoing, cannot be fully compensated through the award of monetary compensation alone, and will continue to persist unless and until the defendants are enjoined to comply with the previously entered court order and expunge the plaintiff's records from their files.

**WHEREFORE**, pursuant to the Pennsylvania Criminal History Records Information Act 18 Pa.C.S. § 9183, et seq., the plaintiff, Daryoush Taha, demands judgment against the defendants, Director of Public Safety Steven Moran, Lt. Christopher Barry, and Bensalem Township, jointly and/or severally, for compensatory damages, statutory punitive damages, attorney's fees, and an injunction, ordering the defendants to expunge the plaintiff's criminal records history information.

**COUNT II – 18 Pa.C.S. § 9183**  
**WRONGFUL DISSEMINATION OF CRIMINAL HISTORY RECORD INFORMATION**  
**DARYOUSH TAHA V. STEVEN MORAN, LT. CHRISTOPHER BARRY**  
**AND BENSALEM TOWNSHIP**

34. Paragraphs 1 through 33 are incorporated herein by reference, as though fully set forth

at length.

35. As aforesaid, on or about December 23, 2011, the defendants, Steven Moran and/or Lt. Christopher Barry, while acting within the course and scope of their employment, under the color of state law, and pursuant to the customs, policies and practices of the Bensalem Township Police Department and Defendant, Bensalem Township, wrongfully disseminated the plaintiff's criminal records to the defendant, Ching-O-Chang, LLC.

36. Defendant, Ching-O-Chang, LLC, is not a criminal justice agency.

37. On December 23, 2011, more than three (3) years had passed since the date of Plaintiff's arrest, no conviction had occurred resulting from the Plaintiff's arrest, and no proceedings were pending seeking a conviction of the plaintiff.

38. Notwithstanding the above, on December 23, 2011, the defendants, Bensalem Township, Lt. Barry and/or Steven Moran, disseminated the plaintiff's criminal history record information to the defendant, Ching-O-Chang, LLC, without extracting from the record all notations of arrest, indictments and/or other information relating to the initiation of criminal proceedings.

39. Specifically, at a minimum, the defendants, Bensalem Township, Lt. Barry and/or Steven Moran, disseminated the plaintiff's police "mugshot," date of arrest, date of release, and charges involved in the initiation of criminal proceedings, in violation of the CHRIA, 18 Pa.C.S. § 9121 (b)(2).

40. The plaintiff has been aggrieved by the defendants' violation of the CHRIA, and continues to be aggrieved by said violation, as more fully described above.

41. Plaintiff believes, and therefore avers, that the defendants' wrongful dissemination of his criminal history record information was willful, and was intentionally and maliciously undertaken in order to retaliate against the plaintiff for pursuing a successful civil action against officers of the Bensalem Township Police Department.

42. Defendant's willful violation of the CHRIA entitles the plaintiff to punitive damages. **WHEREFORE**, pursuant to the Pennsylvania Criminal History Records Information Act 18 Pa.C.S. § 9183, et seq., the plaintiff, Daryoush Taha, demands judgment against the defendants, Steven Moran, Lt. Christopher Barry, and Bensalem Township, jointly and/or severally, for compensatory damages, punitive damages, attorney's fees, and all other relief that this Honorable Court deems just and applicable.

**COUNT III – 18 Pa.C.S. § 9183**  
**WRONGFUL DISSEMINATION OF CRIMINAL HISTORY RECORD INFORMATION**  
**INJUNCTIVE RELIEF**  
**DARYOUSH TAHA V. CHING-O-CHANG, LLC, D/B/A "MUGSHOTS.COM"**

43. Paragraphs 1 through 42 are incorporated herein by reference, as though fully set forth at length.

44. As aforesaid, the defendant, Ching-O-Chang, LLC, d/b/a "Mugshots.com," conspired with the defendants, Steven Moran, Lt. Christopher Barry, and/or the Bensalem Township Police Department, to unlawfully acquire the plaintiff's criminal record history information, in order to further disseminate such material online.

45. As described above, the defendant took overt acts in furtherance of the conspiracy to unlawfully obtain and disseminate the plaintiff's criminal history record information.

46. The plaintiff has been aggrieved by the defendants, Ching-O-Chang, LLC's violation of the CHRIA, and continues to be aggrieved by said violation, as more fully described above.

47. Plaintiff believes, and therefore avers, that the defendants' wrongful dissemination of his criminal history record information was willful, and was intentionally and maliciously undertaken to publically shame the plaintiff, in order to exert pressure on the plaintiff to pay four-hundred dollars (\$400.00) to remove or "unpublish" the plaintiff's records from the defendant's website.

48. Defendant, Ching-O-Chang, LLC's willful violation of the CHRIA entitles the plaintiff to punitive damages.

49. The plaintiff believes, and therefore avers, that the damage from the defendants, Ching-O-Chang, LLC's violation of the CHRIA is ongoing, cannot be fully compensated through the award of monetary compensation alone, and will continue unless and until the defendant is enjoined to remove the plaintiff's unlawfully acquired, retained and disseminated criminal history record information from its website.

**WHEREFORE**, pursuant to the Pennsylvania Criminal History Records Information Act 18 Pa.C.S. § 9183 et. seq., the plaintiff, Daryoush Taha, respectfully requests that this Honorable Court enter an injunction against the defendant, Ching-O-Chang, LLC, d/b/a "Mugshots.com," directing the defendant to remove the plaintiff's criminal records history information from its website, and enter judgment against the defendant, Ching-O-Chang, LLC, for compensatory damages, statutory punitive damages, attorney's fees, and all other relief that this Honorable Court deems just and applicable.

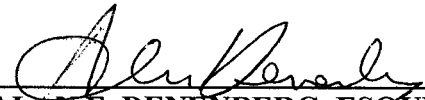
**COUNT IV – PENNSYLVANIA STATE LAW**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
**DARYOUSH TAHA V. STEVEN MORAN, LT. CHRISTOPHER BARRY**  
**BENSALEM TOWNSHIP AND CHING-O-CHANG, LLC, D/B/A "MUGSHOTS.COM"**

50. Paragraphs 1 through 49 are incorporated herein by reference, as though fully set forth at length.
51. Plaintiff believes and therefore avers that defendants, Ching-O-Chang, LLC, Steven Moran, Lt. Christopher Barry, Sr., and Bensalem Township, jointly and/or severally, through their actions, did inflict serious emotional distress upon plaintiff.
52. The above-described malicious, intentional and/or reckless acts and omissions of defendants were outrageous, atrocious and completely intolerable in a civilized society and went beyond all possible bounds of decency.
53. The above-mentioned malicious, intentional and/or reckless acts and omissions of defendants caused the plaintiff to suffer severe emotional distress, anxiety and fear.
54. The above-described actions of defendants were so malicious and intentional and

displayed such a reckless indifference to the plaintiff's rights and well being, that the imposition of punitive damages is warranted.

**WHEREFORE**, the plaintiff, Daryoush Taha, respectfully requests that this Honorable Court enter judgment against the defendants, Ching-O-Chang, LLC, Steven Moran, Lt. Christopher Barry, Sr., and Bensalem Township, jointly and/or severally, for compensatory damages and all other relief that this Honorable Court deems just and applicable.

**ABRAMSON & DENENBERG, P.C.**

BY:   
**ALAN E. DENENBERG, ESQUIRE**  
**ATTORNEY FOR PLAINTIFF**

JS 44  
(Rev. 3/99)

## CIVIL COVER SHEET

12 6867

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 THE REVERSE OF THE FORM.)

## I.(a) PLAINTIFFS

DARYOUSH TAHA

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

CAMDEN

## DEFENDANTS

BENSALEM TOWNSHIP,  
DIRECTOR OF PUBLIC SAFETY, STEVEN MORAN,  
LT. CHRISTOPHER M BARRY, SR., AND  
CHING-0-CHANG, LLC, D/B/A MUGSHOTS.COM

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT

BUCKS

(IN U.S. PLAINTIFF CASES ONLY)

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

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ALAN E. DENENBERG, ESQUIRE  
ABRAMSON & DENENBERG, P.C.  
1315 WALNUT ST., 12TH FLOOR  
PHILA., PA. 19107

ATTORNEYS (IF KNOWN)

UNKNOWN

## 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

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF  
AND ONE BOX FOR DEFENDANT)

- |   |                                       |                            |                            |                            |                            |   |                            |                            |                            |                            |                            |
|---|---------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|---|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| P                                       | T                                     | F                          | D                          | E                          | F                          | P   | T                          | F                          | D                          | E                          | F                          |
| <input type="checkbox"/> 1              | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/> 4                                    | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of This State                   |                                       |                            |                            |                            |                            | Incorporated or Principal Place of Business in This State     |                            |                            |                            |                            |                            |
| <input type="checkbox"/> 2              | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/> 5                                    | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen of Another State                |                                       |                            |                            |                            |                            | Incorporated and Principal Place of Business in Another State |                            |                            |                            |                            |                            |
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| Citizen or Subject of a Foreign Country |                                       |                            |                            |                            |                            | Foreign Nation  |                            |                            |                            |                            |                            |

## IV. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

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 (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 150 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 196 Contract Product Liability	<b>PERSONAL INJURY</b> <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"/> 365 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 382 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 395 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 88 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commercial/ICC Rates/etc <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <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	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>HABEAS CORPUS:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <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 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

## 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  
☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

28 U.S.C. §1332

## VII. REQUESTED IN COMPLAINT:

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

DEMAND \$150,000.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ YES ☐ NOVIII. RELATED CASE(S) (See instructions):  
IF ANY

N/A

JUDGE

DOCKET NUMBER

DEC 07 2012

DATE

12/7/2012

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: **29 MEADOWRUE LANE, SICKLERSVILLE, N.J. 08081**

Address of Defendant: **2400 BYBERRY ROAD, BENSALEM, PA. 19020**

Place of Accident, Incident or Transaction: **BENSALEM, PA.**

(Use Reverse Side For Additional Space)

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: \_\_\_\_\_ Judge \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes ☐ No ☒

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes ☐ No ☒

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes ☐ No ☒

CIVIL (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

- 1 ☐ Indemnity Contract, Marine Contract, and All Other Contracts
- 2 ☐ FELA
- 3 ☐ Jones Act—Personal Injury
- 4 ☐ Antitrust
- 5 ☒ Patent
- 6 ☐ Labor-Management Relations
- 7 ☒ Civil Rights
- 8 ☐ Habeas Corpus
- 9 ☐ Securities Act(s) Cases
- 10 ☐ Social Security Review Cases
- 11 ☐ All other Federal Question Cases  
(Please specify)

B. Diversity Jurisdiction Cases:

- 1. ☐ Insurance Contract and Other Contracts
- 2. ☐ Airplane Personal Injury
- 3. ☐ Assault, Defamation
- 4. ☐ Marine Personal Injury
- 5. ☐ Motor Vehicle Personal Injury
- 6. ☐ Other Personal Injury (Please specify)
- 7. ☐ Products Liability
- 8. ☐ Products Liability — Asbestos
- 9. ☐ All other Diversity Cases  
(Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, **ALAN E. DENENBERG, ESQ.**, counsel of record do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs.

☐ Relief other than monetary damages is sought.

DATE: **12/7/12**

*Alan E. Denenberg*  
Attorney-at-Law

**54161**

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: **12/7/12**

*Alan E. Denenberg*  
Attorney-at-Law

**54161**

Attorney I.D.#

**TJS**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

**DARYOUSH TAHA**

CIVIL ACTION

v.

**BENSALEM TOWNSHIP, ET AL**

**12 6867**  
NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

12/7/12  
Date

ALAN E. DENENBERG  
Attorney-at-law

Alan E. Denenberg  
Attorney for PLAINTIFF

215-546-1345

Telephone

FAX Number

E-Mail Address

**DEC 07 2012**