

JS-44 (Rev. 6/13 RI)

I. (a) PLAINTIFFS

Jennifer McElroy

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

(c) Attorney's (Firm Name, Address, and Telephone Number)

Stephen T. Fanning, 305 South Main St.,
 Providence, RI 02903 401-272-8250

DEFENDANTS

Fidelity Investments Institutional Services Company, Inc.

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

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

Attorneys (If Known)

Neal J. McNamara, Nixon Peabody LLP, 1 Citizens Plz.,
 Ste. 500, Providence, RI 02903 401-454-1000

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- U.S. Government Plaintiff
 Federal Question (U.S. Government Not a Party)
 U.S. Government Defendant
 Diversity (Indicate Citizenship of Parties in Item III)

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

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

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

Admiralty

- 120 Marine (Other)
 340 Marine (Injury to Seamen)

Admin/Agency Appeals Other

- 890 Other Statutory Actions (APA Appeals, IDEA Appeals, Other)

Bankruptcy

- 422 Appeal 28 U.S.C. § 158
 423 Withdrawal 28 U.S.C. § 157

Banks and Banking

- 140 Negotiable Instruments
 430 Banks and Banking

Anti-trust

- 410 Anti-Trust

Construction Contracts

- 130 Miller Act
 190 Other Contracts

Securities Law & Stockholder Suits

- 160 Stockholders' Suits
 850 Securities/Commodities/Exchange

Other - Business/Comm.

- 96 Franchise
 490 Cable/Satellite TV

Consumer Credit

- 190 Other Contracts
 371 Truth in Lending
 480 Consumer Credit

Constitutional Law

- 950 Constitutionality of State Statutes
 440 Other Civil Rights (Constitutionality of Federal Statutes)

Elections and Voting

- 400 State Reapportionment
 441 Voting

Other - Civil Rights

- 440 Other Civil Rights
 443 Housing/Accommodations
 446 Americans with Disabilities
 448 Civil Rights-Education

Civil Rights

Copyright & Trademark (Intellectual Property)

- 820 Copyright
 840 Trademark

Employment Discrimination

- 442 Employment
 445 Americans with Disabilities-Employment
 440 Other -Civil Rights

ERISA

- 791 Employment Ret. Inc. Security Act

Other Employment Benefits

- 190 Other - Contract
 442 Other - Employment

Employment and Employee Benefits

Environmental Law

- 893 Environmental Matters

Immigration

- 462 Naturalization App.
 465 Other Immigration Actions

Indian Law

- 890 Other Statutory Actions

Insurance

- 110 Insurance Contract

Labor and Occupational Safety

- 710 Fair Labor Standards Act
 720 Labor/Management Relations Act
 740 Railway Labor Act
 751 Labor: Family and Medical Leave Act
 790 Other Labor Litigation

Miscellaneous Civil Cases

- 150 Recovery of Overpayment and Enforcement of Judgment (Collections)
 151 Medicare Act
 152 Recovery of Defaulted Student Loans (excluding Veterans)
 153 Recovery of Overpayment of Veterans' Benefits
 370 Other Fraud
 375 Other Statutes: False Claims Act
 440 Other Civil Rights (Immigration/Deportation)
 450 Commerce
 460 Deportation
 625 Drug related seizure of property

Miscellaneous Civil Cases

Continued

- 690 Other (Forfeiture/Penalty)
 870 Taxes (U.S. Plaintiff or Defendant)
 871 IRS-Third Party (26 U.S.C. § 7609)
 890 Other Statutory Actions
 891 Agricultural Acts
 895 Freedom of Information Act
 896 Other Statutes: Arbitration
 899 Other Statutes: Admin. Procedures Act/Review/ Appeal of Agency Decision

Patents (Intellectual Property)

- 830 Patents

Prisoner Petitions

HABEAS CORPUS

- 463 Alien Detainee(Habeas)
 510 Motions to Vacate Sentence (Habeas)
 530 General (Habeas)
 535 Death Penalty (Habeas)

OTHER

- 540 Mandamus and Other
 550 Civil Rights (1983)
 555 Prison Conditions(1983)
 560 Civil Detainee-Cond. of Confinement

Real and Personal Property

- 210 Land Condemnation
 220 Foreclosure
 230 Rent, Lease and Ejectment
 240 Torts to Land
 290 All other Real Property
 380 Other Personal Property Damage

RICO

- 470 RICO

Social Security

- 861 HIA (1395ff)
 862 Black Lung (923)
 863 DIWC/DIWW (405(g))
 864 SSID Title XVI
 865 RSI (405(g))

Mass Torts

- 360 Other Personal Injury

Products Liability

- 195 Contract Product Liability
 245 Tort Product Liability
 315 Airplane Product Liability
 345 Marine Product Liability
 355 Motor Vehicle Product Liability
 365 Personal Injury Product Liability
 385 Property Damage Product Liability

Professional Malpractice

- 362 Personal Injury - Med. Malpractice

Motor Vehicle Accidents/Slip and Fall

- 350 Motor Vehicles
 360 Other Personal Injury (Fed. Tort Claims Act)

Other Torts and Personal Injury incl. Asbestos cases

- 310 Airplane
 320 Assault, Libel and Slander
 330 Federal Employers' Liability
 360 Other Personal Injury (Fed. Tort Claims Act)
 360 Other Personal Injury
 367 Personal Injury: HealthCare/Pharmaceutical Personal Injury Product Liability
 368 Asbestos Personal Injury

Torts and Personal Injury

CONTINUED ON REVERSE SIDE

V. ORIGIN (Place an "X" In One Box Only)	
<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court
<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened
<input type="checkbox"/> 5 Transferred from another district (Specify)	<input type="checkbox"/> 6 Multidistrict Litigation
<input type="checkbox"/> 7 Appeal to District Judge From Magistrate Judgment	
VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. Sec. 1331
	Brief description of cause: Plaintiff claims employment discrimination and that she was constructively terminated
VII. REQUESTED IN COMPLAINT	<input type="checkbox"/> Check if this is a Class Action Under F.R.C.P. 23 DEMAND \$ _____ JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check YES <u>only</u> if demanded in complaint)
VIII. RELATED CASE(S) IF ANY	JUDGE _____ DOCKET NUMBER _____

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

07/10/2015

/s/ Neal J. McNamara

Date

Signature of Attorney of Record

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET 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 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. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the Cover Sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (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.)
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. NATURE OF SUIT: Place an X in the appropriate box. Make sure to select the Nature of Suit from the category which best describes the primary cause of action found in your complaint. You must select only one nature of suit.
- VIII. RELATED CASES, IF ANY: 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.

FOR OFFICE USE ONLY				
Receipt # _____	Amount _____	Applying IFP _____	Judge _____	Mag. Judge _____