

CIRCUIT COURT OF OREGON FOR Multnomah COUNTY

No:

U.S. Bank National Association,
Plaintiff

v.

JANET L SELLARS,

Defendant(s)

**COMPLAINT FOR MONIES DUE AND OWING
(CONTRACT)**

**AMOUNT: \$1,633.48
Statutory Authority ORS 21.160(1)
Subject to Mandatory Arbitration
SUBJECT TO UTCR 5.180(3)**

COMES NOW, the Plaintiff, and states:

IDENTIFICATION OF PLAINTIFF

1. Plaintiff routinely conducts business in the State of Oregon.
- 1.1 Plaintiff is duly qualified to bring this action.

IDENTIFICATION OF DEFENDANT(S)

2. The Defendant(s) named above reside or do business within the jurisdiction of this court.
- 2.1 The Defendant(s) made purchases of goods or services on credit on an account with Plaintiff.
- 2.2 The Defendant(s) is/are indebted to the Plaintiff for the balance owed on the account which they used for the purchase of goods and services on credit.
- 2.3 By using this account, the Defendant(s) became bound to repay the account.
- 2.4 Although demand for payment has been made, payment has not been forthcoming, the Defendant(s) are in default and monies are now due and owing in the amount of \$1,633.48.

FIRST CAUSE OF ACTION

3. As a result of services provided by the Plaintiff at the Defendant's request, the Defendant(s) established an account with Plaintiff.
- 3.1 Plaintiff sent statements to the Defendant(s) which set forth the activity on this account and the balance owed.
- 3.2 The Defendant(s) are now in default for failing to make those payments as they became due and owing.

SECOND CAUSE OF ACTION

4. The Defendant(s) have failed to pay for the credit account that they requested and received from Plaintiff and as a result the Defendant(s) have been unjustly enriched.

4.1 The amount of the unjust enrichment is set forth in paragraph 2.4 above, which is the reasonable value of the credit account provided.

4.2 The Defendant(s), in equity, should be required to pay the plaintiff the sum set forth in paragraph 2.4 above.

WHEREFORE, Plaintiff, U.S. Bank National Association, prays for Judgment against the Defendant(s),

JANET L SELLARS, in the sum of \$1,633.48 and costs of this action, plus any other relief deemed equitable and just by the Court.

Date:

9/10/2019

LAWGIX LAWYERS, LLC

DocuSigned by:

Craig Peterson

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Craig Peterson

OSBA#
120365

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ATTORNEY FOR PLAINTIFF

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CIRCUIT COURT OF OREGON FOR Multnomah COUNTY

U.S. Bank National Association,
Plaintiff

Court File Number:

v.

JANET L SELLARS,

Defendant(s)

SUMMONS

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

TO:

JANET L SELLARS

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and defend against the allegations contained in the Complaint filed against you in the above-entitled proceeding within thirty (30) days from the date of service of this Summons on you, or within sixty (60) days if you are a United States government defendant. If you fail to appear and defend this matter within thirty (30) days from the date of service of this Summons upon you, U.S. Bank National Association will apply to the court for the relief demanded in the Complaint.

NOTICE TO DEFENDANTS: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within thirty days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service on the plaintiff.

IF YOU HAVE ANY QUESTIONS, YOU SHOULD SEE AN ATTORNEY IMMEDIATELY. If you need help in finding an attorney, you may contact the Oregon State Bar's Lawyer Referral Service online at <http://oregonstatebar.org> or by calling (503) 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636

Date:

9/10/2019

LAWGIX LAWYERS, LLC

DocuSigned by:

Craig Peterson

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NOTICE: State and federal law provide protections to defendants who are in the military service, and to their dependants. Dependants of a service member are the service member's spouse, the service member's minor child, or an individual for whom the service member provided more than one-half of the individual's support for one hundred eighty days immediately preceding an application for relief.

One protection provided is the protection against the entry of a default judgment in certain circumstances. This notice pertains only to a defendant who is dependant of a member of the national guard or a military reserve component under a call to active service, or a national guard member under a call to active service, or a national guard member under a call to service authorized by the governor of the State of Washington, for a period of more than thirty consecutive days. Other defendants in military service also have protections against default judgments not covered by this notice. If you are the dependent of a member of the national guard or a military reserve component under a call to active service, or a national guard member under a call to service authorized by the governor of the State of Washington, for a period of more than thirty consecutive days, you should notify the plaintiff or plaintiff's attorneys in writing of your status as such within twenty days of the receipt of this notice. If you fail to do so, then a court or an administrative tribunal may presume that you are not a dependent of an active duty member of the national guard or reserves, or a national guard member under a call to service authorized by the governor of the State of Washington, and proceed with the entry of an order of default and/or default judgment without further proof of your status. Your response to the plaintiff or plaintiff's attorneys about your status does not constitute an appearance for jurisdictional purposes in any pending litigation nor a waiver of your rights.

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