

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT: <input type="checkbox"/> DOES 1 TO _____	
<div style="text-align: center;"><b>CONTRACT</b></div> <input type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (Number):  <input type="checkbox"/> CROSS-COMPLAINT <input type="checkbox"/> AMENDED CROSS-COMPLAINT (Number):	
<b>Jurisdiction (check all that apply):</b> <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$35,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint or cross-complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	CASE NUMBER:

1. **Plaintiff\*** (name or names):

alleges causes of action against **defendant\*** (name or names):

2. This pleading, including attachments and exhibits, consists of the following number of pages:

3. a. Each plaintiff named above is a competent adult

☐ **except** plaintiff (name):

- (1) ☐ a corporation qualified to do business in California.  
 (2) ☐ an unincorporated entity (describe):  
 (3) ☐ other (specify):

b. ☐ Plaintiff (name):

- (1) ☐ has complied with the fictitious business name laws and is doing business under the fictitious name (specify):  
  
 (2) ☐ has complied with all licensing requirements as a licensed (specify):

c. ☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3c.

4. a. Each defendant named above is a natural person

☐ **except** defendant (name):

- (1) ☐ a business organization, form unknown.  
 (2) ☐ a corporation.  
 (3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

☐ **except** defendant (name):

- (1) ☐ a business organization, form unknown.  
 (2) ☐ a corporation.  
 (3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

\* If this form is used as a cross-complaint, plaintiff means cross-complainant and defendant means cross-defendant.

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4. b. The true names of defendants sued as Does are unknown to plaintiff.

(1) ☐ Doe defendants (*specify Doe numbers*): \_\_\_\_\_ were the agents or employees of the named defendants and acted within the scope of that agency or employment.

(2) ☐ Doe defendants (*specify Doe numbers*): \_\_\_\_\_ are persons whose capacities are unknown to plaintiff.

c. ☐ Information about additional defendants who are not natural persons is contained in Attachment 4c.

d. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (*names*): \_\_\_\_\_

5. ☐ Plaintiff is required to comply with a claims statute, **and**

a. ☐ has complied with applicable claims statutes, *or*

b. ☐ is excused from complying because (*specify*): \_\_\_\_\_

6. ☐ This action is subject to ☐ Civil Code section 1812.10 ☐ Civil Code section 2984.4.

7. This court is the proper court because

a. ☐ a defendant entered into the contract here.

b. ☐ a defendant lived here when the contract was entered into.

c. ☐ a defendant lives here now.

d. ☐ the contract was to be performed here.

e. ☐ a defendant is a corporation or unincorporated association and its principal place of business is here.

f. ☐ real property that is the subject of this action is located here.

g. ☐ other (*specify*): \_\_\_\_\_

8. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):

☐ Breach of Contract

☐ Common Counts

☐ Other (*specify*): \_\_\_\_\_

9. ☐ Other allegations: \_\_\_\_\_

10. **Plaintiff prays** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

a. ☐ damages of: \$ \_\_\_\_\_

b. ☐ interest on the damages

(1) ☐ according to proof

(2) ☐ at the rate of (*specify*): \_\_\_\_\_ percent per year from (*date*): \_\_\_\_\_

c. ☐ attorney's fees

(1) ☐ of: \$ \_\_\_\_\_

(2) ☐ according to proof.

d. ☐ other (*specify*): \_\_\_\_\_

11. ☐ The paragraphs of this pleading alleged on information and belief are as follows (*specify paragraph numbers*): \_\_\_\_\_

Date: \_\_\_\_\_

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

(If you wish to verify this pleading, affix a verification.)

- ☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

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4. ☐ Plaintiff (*name*):  
is doing business under the fictitious name (*specify*):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- a. ☐ **except** defendant (*name*):

- (1) ☐ a business organization, form unknown.  
(2) ☐ a corporation.  
(3) ☐ an unincorporated entity (*describe*):  
  
(4) ☐ a public entity (*describe*):  
  
(5) ☐ other (*specify*):

- c. ☐ **except** defendant (*name*):

- (1) ☐ a business organization, form unknown.  
(2) ☐ a corporation.  
(3) ☐ an unincorporated entity (*describe*):  
  
(4) ☐ a public entity (*describe*):  
  
(5) ☐ other (*specify*):

- b. ☐ **except** defendant (*name*):

- (1) ☐ a business organization, form unknown.  
(2) ☐ a corporation.  
(3) ☐ an unincorporated entity (*describe*):  
  
(4) ☐ a public entity (*describe*):  
  
(5) ☐ other (*specify*):

- d. ☐ **except** defendant (*name*):

- (1) ☐ a business organization, form unknown.  
(2) ☐ a corporation.  
(3) ☐ an unincorporated entity (*describe*):  
  
(4) ☐ a public entity (*describe*):  
  
(5) ☐ other (*specify*):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

- a. ☐ Doe defendants (*specify Doe numbers*):

were the agents or employees of other  
named defendants and acted within the scope of that agency or employment.

- b. ☐ Doe defendants (*specify Doe numbers*):  
plaintiff.

are persons whose capacities are unknown to

7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (*names*):

8. This court is the proper court because

- a. ☐ at least one defendant now resides in its jurisdictional area.  
b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.  
c. ☐ injury to person or damage to personal property occurred in its jurisdictional area.  
d. ☐ other (*specify*):

9. ☐ Plaintiff is required to comply with a claims statute, **and**

- a. ☐ has complied with applicable claims statutes, **or**  
b. ☐ is excused from complying because (*specify*):

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10. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):

- a. ☐ Motor Vehicle
- b. ☐ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☐ Premises Liability
- f. ☐ Other (*specify*):

11. Plaintiff has suffered (*check all that apply*)

- a. ☐ wage loss.
- b. ☐ loss of use of property.
- c. ☐ hospital and medical expenses.
- d. ☐ general damage.
- e. ☐ property damage.
- f. ☐ loss of earning capacity.
- g. ☐ other damage (*specify*):

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. **Plaintiff prays** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☐ compensatory damages.
- (2) ☐ punitive damages.
- b. The amount of damages is (*in cases for personal injury or wrongful death, you must check (1)*):
  - (1) ☐ according to proof.
  - (2) ☐ in the amount of: \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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CASE NUMBER:

**CAUSE OF ACTION—Breach of Contract**

(number)

ATTACHMENT TO ☐ Complaint ☐ Cross - Complaint*(Use a separate cause of action form for each cause of action.)*BC-1. Plaintiff *(name)*:alleges that on or about *(date)*:a ☐ written ☐ oral ☐ other *(specify)*:agreement was made between *(name parties to agreement)*:☐ A copy of the agreement is attached as Exhibit A, or☐ The essential terms of the agreement ☐ are stated in Attachment BC-1 ☐ are as follows *(specify)*:BC-2. On or about *(dates)*:defendant breached the agreement by ☐ the acts specified in Attachment BC-2 ☐ the following acts *(specify)*:

BC-3. Plaintiff has performed all obligations to defendant except those obligations plaintiff was prevented or excused from performing.

BC-4. Plaintiff suffered damages legally (proximately) caused by defendant's breach of the agreement

☐ as stated in Attachment BC-4 ☐ as follows *(specify)*:BC-5. ☐ Plaintiff is entitled to attorney fees by an agreement or a statute☐ of \$☐ according to proof.BC-6. ☐ Other:

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**CAUSE OF ACTION—Intentional Tort**

Page \_\_\_\_\_

(number) \_\_\_\_\_

ATTACHMENT TO ☐ Complaint ☐ Cross - Complaint*(Use a separate cause of action form for each cause of action.)*IT-1. Plaintiff (*name*):alleges that defendant (*name*):☐ Does \_\_\_\_\_ to \_\_\_\_\_

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (*date*):at (*place*):*(description of reasons for liability):*

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**CAUSE OF ACTION—Products Liability**

Page \_\_\_\_\_

(number)

ATTACHMENT TO ☐ Complaint ☐ Cross - Complaint  
*(Use a separate cause of action form for each cause of action.)*

Plaintiff (name):

Prod. L-1. On or about (date):

plaintiff was injured by the following product:

Prod. L-2. Each of the defendants knew the product would be purchased and used without inspection for defects.

The product was defective when it left the control of each defendant. The product at the time of injury was being

☐ used in the manner intended by the defendants.☐ used in the manner that was reasonably foreseeable by defendants as involving a substantial danger not readily apparent. Adequate warnings of the danger were not given.

Prod. L-3. Plaintiff was a

☐ purchaser of the product.☐ user of the product.☐ bystander to the use of the product.☐ other (specify):

PLAINTIFF'S INJURY WAS THE LEGAL (PROXIMATE) RESULT OF THE FOLLOWING:

Prod. L- 4. ☐ **Count One—Strict liability** of the following defendants whoa. ☐ manufactured or assembled the product (names):☐ Does \_\_\_\_\_ to \_\_\_\_\_b. ☐ designed and manufactured component parts supplied to the manufacturer (names):☐ Does \_\_\_\_\_ to \_\_\_\_\_c. ☐ sold the product to the public (names):☐ Does \_\_\_\_\_ to \_\_\_\_\_Prod. L-5. ☐ **Count Two—Negligence** of the following defendants who owed a duty to plaintiff (names):☐ Does \_\_\_\_\_ to \_\_\_\_\_Prod. L-6. ☐ **Count Three—Breach of warranty** by the following defendants (names):☐ Does \_\_\_\_\_ to \_\_\_\_\_a. ☐ who breached an implied warrantyb. ☐ who breached an express warranty which was☐ written ☐ oralProd. L-7. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are☐ listed in Attachment-Prod. L-7 ☐ as follows:



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**CAUSE OF ACTION—General Negligence**

Page \_\_\_\_\_

(number) \_\_\_\_\_

ATTACHMENT TO ☐ Complaint ☐ Cross - Complaint*(Use a separate cause of action form for each cause of action.)*GN-1. Plaintiff *(name)*:alleges that defendant *(name)*:☐ Does \_\_\_\_\_ to \_\_\_\_\_

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on *(date)*:at *(place)*:*(description of reasons for liability):*

SHORT TITLE:

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**Exemplary Damages Attachment**

Page \_\_\_\_\_

ATTACHMENT TO ☐ Complaint ☐ Cross - ComplaintEX-1. As additional damages against defendant (*name*):

Plaintiff alleges defendant was guilty of

☐ malice☐ fraud☐ oppression

as defined in Civil Code section 3294, and plaintiff should recover, in addition to actual damages, damages to make an example of and to punish defendant.

EX-2. The facts supporting plaintiff's claim are as follows:

EX-3. The amount of exemplary damages sought is

a. ☐ not shown, pursuant to Code of Civil Procedure section 425.10.b. ☐ \$