

\*CA DFPI Debt Collector License Applied For

SHORT TITLE: Citibank, N.A. V. Olga L Martinez	CASE NUMBER:
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## 4. (Continued)

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: \$ 21738.30
- b. ☐ interest on the damages
- (1) ☐ according to proof
- (2) ☐ at the rate of (specify): \_\_\_\_\_ percent per year from (date): \_\_\_\_\_
- c. ☐ attorney's fees \*Plaintiff waives attorney fees \*Plaintiff waives post charge-off prejudgment interest
- (1) ☐ of: \$
- (2) ☐ according to proof.
- d. ☒ other (specify): Costs of suit

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

Ryota Isozaki ☒ Derrick Uhri Eric  
 Marquez Lisette Baptiste John Phan

Date:

MAR 07 2022

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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

SHORT TITLE:  
Citibank, N.A. V. Olga L Martinez

CASE NUMBER:

FIRST

(number)

**CAUSE OF ACTION—Common Counts**

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

CC-1. Plaintiff (name): Citibank, N.A.

alleges that defendant (name): Olga L Martinez

became indebted to ☒ plaintiff ☐ other (name):

a. ☒ within the last four years

(1) ☒ on an open book account for money due.

(2) ☒ because an account was stated in writing by and between plaintiff and defendant in which it was agreed that defendant was indebted to plaintiff.

b. ☒ within the last ☐ two years ☒ four years

(1) ☐ for money had and received by defendant for the use and benefit of plaintiff.

(2) ☐ for work, labor, services and materials rendered at the special instance and request of defendant and for which defendant promised to pay plaintiff.

☐ the sum of \$

☐ the reasonable value.

(3) ☐ for goods, wares, and merchandise sold and delivered to defendant and for which defendant promised to pay plaintiff

☐ the sum of \$

☐ the reasonable value.

(4) ☒ for money lent by plaintiff to defendant at defendant's request.

(5) ☒ for money paid, laid out, and expended to or for defendant at defendant's special instance and request.

(6) ☒ other (specify): This cause of action relates to the COSTCO VISA® CARD credit card issued by Plaintiff having account number XXXXXXXXXXXXXXX4618.

CC-2. \$ 21738.30, which is the reasonable value, is due and unpaid despite plaintiff's demand,

plus prejudgment interest ☐ according to proof ☐ at the rate of \_\_\_\_\_ percent per year

from (date): \*Plaintiff waives post charge-off prejudgment interest

CC-3. ☐ Plaintiff is entitled to attorney fees by an agreement or a statute

☐ of \$ \*Plaintiff waives attorney fees

☐ according to proof.

CC-4. ☒ Other: Costs of suit

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