

Assigned for all purposes to: Chatsworth Courthouse, Judicial Officer: Bernie LaForteza

PLD-C-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Aaron N. Baldaro, Esq./SBN 261156 AMERICAN EXPRESS LEGAL 199 S. Los Robles Ave., Suite 540 Pasadena, CA 91101 TELEPHONE NO: (626) 660-0002 FAX NO. (Optional): (626) 298-6716 E-MAIL ADDRESS (Optional): Aaron.N.Baldaro@aexp.com ATTORNEY FOR (Name): American Express National Bank		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 9425 Penfield Avenue MAILING ADDRESS: CITY AND ZIP CODE: Chatsworth, CA 91311 BRANCH NAME: Chatsworth Courthouse		
PLAINTIFF: AMERICAN EXPRESS NATIONAL BANK DEFENDANT: SOPHIA RANKIN and <input checked="" type="checkbox"/> DOES 1 TO 10, inclusive		
CONTRACT <input checked="" type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (Number): <input type="checkbox"/> CROSS-COMPLAINT <input type="checkbox"/> AMENDED CROSS-COMPLAINT (Number):		
Jurisdiction (check all that apply): <input checked="" type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input checked="" type="checkbox"/> exceeds \$10,000 but does not exceed \$25,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <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: 22CHLC05256

1. **Plaintiff*** (name or names): AMERICAN EXPRESS NATIONAL BANK alleges causes of action against **defendant*** (name or names): SOPHIA RANKIN and DOES 1 to 10, inclusive
2. This pleading, including attachments and exhibits, consists of the following number of pages: 3
3. a. Each plaintiff named above is a competent adult
☒ **except** plaintiff (name): AMERICAN EXPRESS NATIONAL BANK
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☒ other (specify): A national bank organized under the laws of the United States of America with its offices located at 115 W. Towne Ridge Parkway, Sandy, Utah 84070
- b. ☐ Plaintiff (name):
 - a. ☐ has complied with the fictitious business name laws and is doing business under the fictitious name (specify):
 - b. ☐ 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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CASE NUMBER:

4. (Continued)

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

- (1) ☒ Doe defendants (*specify Doe numbers*): 1-5 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*): 6-10 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: \$11,094.54
- 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: March 7, 2022

Aaron N. Baldaro, Esq./SBN 261156

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

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CASE NUMBER:

FIRST CAUSE OF ACTION—Common Counts

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

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

CC-1. Plaintiff (name): AMERICAN EXPRESS NATIONAL BANK¹

alleges that defendant (name): SOPHIA RANKIN and DOES 1 to 10, inclusive

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): For credit extended by Plaintiff to Defendant for purchases and/or cash advances by Defendant and/or persons acting with Defendant's permission on the American Express credit card account XXXX-XXXXXX-X1003. Plaintiff has performed all conditions precedent to bringing this action or Defendant has waived them.

¹ On April 1, 2018, American Express Centurion Bank changed its name to American Express National Bank. See <https://www.occ.treas.gov/topics/licensing/interpretations-and-actions/2018/interpretations-and-actions-jan-2018.html>; See also 12 U.S.C. § 35; 12 C.F.R. § 5.24.

CC-2. \$, 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):

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

☐ of \$

☐ according to proof.

CC-4. ☒ Other: \$11,094.54, which is the current outstanding balance owed by Defendant to Plaintiff.

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