

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, state bar number, and address</i> ).    TELEPHONE NO: _____ FAX NO. ( <i>Optional</i> ): _____ E-MAIL ADDRESS ( <i>Optional</i> ): _____ ATTORNEY FOR ( <i>Name</i> ): _____	FOR COURT USE ONLY
<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 _____	
<b>COMPLAINT-Personal Injury, Property Damage, Wrongful Death</b> <input type="checkbox"/> <b>AMENDED (<i>Number</i>):</b> Type ( <i>check all that apply</i> ): <input type="checkbox"/> <b>MOTOR VEHICLE</b> <input type="checkbox"/> <b>OTHER (<i>specify</i>):</b> <input type="checkbox"/> <b>Property Damage</b> <input type="checkbox"/> <b>Wrongful Death</b> <input type="checkbox"/> <b>Personal Injury</b> <input type="checkbox"/> <b>Other Damages (<i>specify</i>):</b>	
Jurisdiction ( <i>check all that apply</i> ): <input type="checkbox"/> <b>ACTION IS A LIMITED CIVIL CASE</b> Amount demanded <input type="checkbox"/> <b>does not exceed \$10,000</b> <input type="checkbox"/> <b>exceeds \$10,000, but does not exceed \$25,000</b> <input type="checkbox"/> <b>ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)</b> <input type="checkbox"/> <b>ACTION IS RECLASSIFIED by this amended complaint</b> <input type="checkbox"/> <b>from limited to unlimited</b> <input type="checkbox"/> <b>from unlimited to limited</b>	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. Each plaintiff named above is a competent adult

a.  **except** plaintiff (*name*):

- (1)  a corporation qualified to do business in California
- (2)  an unincorporated entity (*describe*):
- (3)  a public entity (*describe*):
- (4)  a minor     an adult
  - (a)  for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
  - (b)  other (*specify*):
- (5)  other (*specify*):

b.  **except** plaintiff (*name*):

- (1)  a corporation qualified to do business in California
- (2)  an unincorporated entity (*describe*):
- (3)  a public entity (*describe*):
- (4)  a minor     an adult
  - (a)  for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
  - (b)  other (*specify*):
- (5)  other (*specify*):

Information about additional plaintiffs who are not competent adults is shown in Complaint 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*):
- 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*):
- 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*):
- 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 in Attachment 5.
6. The true names and capacities of defendants sued as Does are unknown to plaintiff.
- a.  Doe defendants (*specify Doe numbers*): \_\_\_\_\_ were the agents or employees of named defendants and acted within the scope of that agency or employment.
- b.  Doe defendants (*specify Doe numbers*): \_\_\_\_\_ are persons whose capacities are unknown to plaintiff.
7.  Defendants who are joined pursuant to 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*):

SHORT TITLE:

CASE NUMBER.

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

- 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  
 9.  other damage (*specify*):

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

- a.  listed in Complaint 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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\_\_\_\_\_ (number) **CAUSE OF ACTION--General Negligence** Page \_\_\_\_\_

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)*:

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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 a 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.
- bystander to the use of the product.
- user 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 who

a.  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 warranty
- b.  who breached an express warranty which was
  - written  oral

Prod.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: