

**CIVIL COMPLAINT**

**SAMPLE**

Use the samples to help you complete  
the packet of blank forms.



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

FOR COURT USE ONLY

Your Name
Your Street Address
Your City, State and Zip
TELEPHONE NO.: Your Phone#
ATTORNEY FOR (Name): IN PRO PER

FAX NO.:

SAMPLE ONLY
Do not write on this copy!

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara

STREET ADDRESS: Check with Staff
MAILING ADDRESS:
CITY AND ZIP CODE:
BRANCH NAME: Civil

CASE NAME: Your Name vs. Person/Company you are suing

CIVIL CASE COVER SHEET
Unlimited (Amount)
Limited (Amount)

Complex Case Designation
Counter Joinder

CASE NUMBER: Leave Blank

JUDGE:

DEPT.:

Choose which amount you are suing for with first appearance by defendant Cal. Rules of Court, rule 3.402)

One

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

- Auto (22)
Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
Product liability (24)
Medical malpractice (45)
Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

- Business tort/unfair business practice (07)
Civil rights (08)
Defamation (13)
Fraud (16)
Intellectual property (19)
Professional negligence (25)
Other non-PI/PD/WD tort (35)

Employment

- Wrongful termination (36)
Other employment (15)

Contract

- Breach of contract/warranty (06)
Rule 3.740 collections (09)
Other collections (09)
Insurance coverage (18)
Other contract (37)

Real Property

- Eminent domain/Inverse condemnation (14)
Wrongful eviction (33)
Other real property (26)

Unlawful Detainer

- Commercial (31)
Residential (32)
Drugs (38)

Judicial Review

- Asset forfeiture (05)
Petition re: arbitration award (11)
Writ of mandate (02)
Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

- Antitrust/Trade regulation (03)
Construction defect (10)
Mass tort (40)
Securities litigation (28)
Environmental/Toxic tort (30)
Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

- Enforcement of judgment (20)

Miscellaneous Civil Complaint

- RICO (27)
Other complaint (not specified above) (42)

Miscellaneous Civil Petition

- Partnership and corporate governance (21)
Other petition (not specified above) (43)

- 2. This case is [ ] is not [x] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
a. [ ] Large number of separately represented parties
b. [ ] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. [ ] Substantial amount of documentary evidence
d. [ ] Large number of witnesses
e. [ ] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. [ ] Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a. [x] monetary b. [ ] nonmonetary; declaratory or injunctive relief c. [ ] punitive
4. Number of causes of action (specify):
5. This case is [ ] is not [x] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: Today's Date

Print Your Name (TYPE OR PRINT NAME)

Sign Your Name (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
File this cover sheet in addition to any cover sheet required by local court rule.
If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

## CASE TYPES AND EXAMPLES

**Auto Tort**

Auto (22)-Personal Injury/Property Damage/Wrongful Death  
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death  
Product Liability (*not asbestos or toxic/environmental*) (24)  
Medical Malpractice (45)  
Medical Malpractice-Physicians & Surgeons  
Other Professional Health Care Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice (*not medical or legal*)  
Other Non-PI/PD/WD Tort (35)

**Employment**

Wrongful Termination (36)  
Other Employment (15)

**Contract**

Breach of Contract/Warranty (06)  
Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)  
Contract/Warranty Breach-Seller Plaintiff (*not fraud or negligence*)  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book accounts) (09)  
Collection Case-Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage (*not provisionally complex*) (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

**Real Property**

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

**Unlawful Detainer**

Commercial (31)  
Residential (32)  
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

**Judicial Review**

Asset Forfeiture (05)  
Petition Re: Arbitration Award (11)  
Writ of Mandate (02)  
Writ-Administrative Mandamus  
Writ-Mandamus on Limited Court Case Matter  
Writ-Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal-Labor  
Commissioner Appeals

**Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)**

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

**Enforcement of Judgment**

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment (*non-domestic relations*)  
Sister State Judgment  
Administrative Agency Award (*not unpaid taxes*)  
Petition/Certification of Entry of Judgment on Unpaid Taxes  
Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

RICO (27)  
Other Complaint (*not specified above*) (42)  
Declaratory Relief Only  
Injunctive Relief Only (*non-harassment*)  
Mechanics Lien  
Other Commercial Complaint Case (*non-tort/non-complex*)  
Other Civil Complaint (*non-tort/non-complex*)

**Miscellaneous Civil Petition**

Partnership and Corporate Governance (21)  
Other Petition (*not specified above*) (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief from Late Claim  
Other Civil Petition

**SUMMONS  
(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT: NAME OF PERSON/COMPANY YOU ARE SUING  
(AVISO AL DEMANDADO):**

**SAMPLE  
ONLY  
Do not write  
on this copy!**

**YOU ARE BEING SUED BY PLAINTIFF: YOUR NAME  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es):

CASE NUMBER:  
(Número del Caso):

LEAVE BLANK

**SUPERIOR COURT OF CALIFORNIA, SANTA CLARA COUNTY**

CHECK WITH STAFF

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

YOUR NAME YOUR PHONE #

YOUR ADDRESS

DATE:

(Fecha)

Clerk, by

(Secretario)

, Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

**NOTICE TO THE PERSON SERVED: You are served.**

1.  CHECK "1" IF YOU ARE SUING A PERSON, NOT A COMPANY  
2.  as the person sued under the fictitious name of (specify):

3.  on behalf of  CHECK "3" IF YOU ARE SUING A COMPANY, NOT AN INDIVIDUAL PERSON. SELECT A BOX BELOW THAT BEST IDENTIFIES THEM/IT.  
under:  CCP 416.20 (defunct corporation)  CCP 416.70 (conservatee)  
 CCP 416.40 (association or partnership)  CCP 416.90 (authorized person)  
 other (specify):

4.  by personal delivery on (date):



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) :

FOR COURT USE ONLY

Your Name  
 Your Street Address  
 Your City, State and Zip  
 TELEPHONE NO.: Your Phone#

FAX NO. (Optional) :

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): **IN PRO PER**

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara**

STREET ADDRESS: Check with Staff

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME: Civil

PLAINTIFF: Your Name

DEFENDANT: Name of person or company you are suing

DOES 1 TO 10

**CONTRACT**

COMPLAINT  AMENDED COMPLAINT (Number) :

CROSS-COMPLAINT  AMENDED CROSS-COMPLAINT (Number) :

**Jurisdiction (check all that apply) :**

ACTION IS A LIMITED CIVIL CASE

Amount demanded  does not exceed \$10,000

exceeds \$10,000 but does not exceed \$25,000

ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)

ACTION IS RECLAIM

from limited t

from unlimite

CASE NUMBER:

Leave Blank

Check the boxes the best describe the amount and type of lawsuit you are trying to bring.

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

alleges causes of action against defendant\* (name or names): Name of person or company you are suing

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) :

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

**If you are suing a company you must complete this section ("4.").**

(1)  a business organization, form unknown

(2)  a corporation

(3)  an unincorporated entity (describe) :

(4)  a public entity (describe) :

(5)  other (specify) :

(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.

SHORT TITLE:

Your Name vs. Person/Company you are suing

CASE NUMBER:

Leave Blank

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) :

You must complete this section if you are suing a government agency. Please see Self-Help Center Staff if you need more help.

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.

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) :

Check the box(es) for the reason you are filing in this county and court.

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) :

Check the box(es) that match the causes of action you attached to this complaint.

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: \$  ← How much do you think they owe you?

b.  interest on the damages

(1)  according to proof

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

Talk to Self-Help Center staff about interest

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: Today's Date

Print Your Name \_\_\_\_\_  
(TYPE OR PRINT NAME)

▶ Sign Your Name \_\_\_\_\_  
(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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

SHORT TITLE:

Your Name vs. Person/Company you are suing

CASE NUMBER:

Leave Blank

FIRST \_\_\_\_\_ 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): Your Name

alleges that on or about (date): Date you made the agreement?

a  written  oral  other (specify): How was the agreement made? (Check one)

If you have a copy of the agreement check the first box and attach a copy of the agreement.  The essential terms of the agreement are stated in Attachment BC-2.  are as follows (specify):

If you DON'T have a copy of the agreement check these boxes and explain here what the agreement was about.

BC-2. On or about (dates): When did the other party break the agreement?

defendant breached the agreement by  the acts specified in Attachment BC-2  the following acts (specify):

Check this box and explain here HOW the other person BROKE the agreement.

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):

Mark this box and explain what damages (money-wise) you have suffered by the other person breaking their end of the agreement.

BC-5.  Plaintiff is entitled to attorney fees by an agreement or a statute  of \$  according to proof.

BC-6.  Other:



SHORT TITLE:

Your Name vs. Name of Person/Company you are suing

CASE NUMBER:

LEAVE BLANK

SECOND (number)

CAUSE OF ACTION-Common Counts

ATTACHMENT TO [X] Complaint [ ] Cross-Complaint

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

CC-1. Plaintiff (name): Your Name

alleges that defendant (name): Name of Person/Company you are suing

became indebted to [X] plaintiff [ ] other (name):

a. [ ] within the last four years

(1) [ ] on

(2) [ ] by

wa

CHECK ALL THE BOXES THAT APPLY TO YOUR CASE

ch it

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

WHAT IS THE AMOUNT THE OTHER PARTY OWES YOU?

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:



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) :

Your Name  
Your Street Address  
Your City, State and Zip

TELEPHONE NO.: Your Phone#

FAX NO. (Optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): IN PRO PER

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara

STREET ADDRESS: Check with Staff

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME: Civil

PLAINTIFF/PETITIONER: Your Name

DEFENDANT/RESPONDENT: Name of person or company you are suing

SAMPLE  
ONLY  
Do not write  
on this copy!

CASE NUMBER:

Leave Blank

Ref. No. or File No.:

PROOF OF SERVICE OF SUMMONS

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of:

- a.  summons
- b.  complaint
- c.  Alternative Dispute Resolution (ADR) package
- d.  Civil Case Cover Sheet (served in complex cases only)
- e.  cross-complaint
- f.  other (specify documents) :

3. a. Party served (specify name of party as shown on documents served) : Name of Person/Company you are suing

b.  Person under **ONLY CHECK "3b." IF THE PERSON WHO WAS SERVED THE PAPERS IS NOT THE PERSON NAMED IN ITEM "3a."**

4. Address where the party was served **WRITE THE ADDRESS WHERE THE PERSON YOU ARE SUIING WAS GIVEN THE FORMS**

5. I served the party **CHECK THE BOX "5.a." AND FILL IN THE DATE AND THE TIME THE OTHER PARTY WAS HANDED THE FORMS**

- a.  by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date) : DATE SERVED (2) at (time) : TIME SERVED
- b.  by substituted service. On (date) : at (time) : I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3) :

**OR CHECK THE BOX "5.b." AND FILL IN THE DATE, TIME, NAME OF ADULT AND RELATIONSHIP (THAT LIVES AT THE SAME ADDRESS OF THE OTHER PARTY) AND CHOOSE A BOX (1-5).**

- (1)  (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2)  (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3)  (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4)  I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date) : from (city) : or  a declaration of mailing is attached.
- (5)  I attach a declaration of diligence stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: Your Name

CASE NUMBER:

Leave Blank

DEFENDANT/RESPONDENT: Name of person or company you are suing

5. c.  **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date) : (2) from (city) :
- (3)  with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgment of Receipt.*) (Code Civ. Proc., § 415.30.)
- (4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d.  **by other means** (*specify means of service and authorizing code section*) :

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a.  as an individual defendant.
- b.  as the person sued under § 415.10.
- c.  as occupant.
- d.  On behalf of (specify) :

Check the box that applies to your case  
(this needs to match your Summons)

under the following Code of Civil Procedure section:

- |   |   |
|---|---|
| <input type="checkbox"/> 416.10 (corporation)                     | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                            |
|   | <input type="checkbox"/> other:                                       |

7. **Person who served papers**

- a. Name: NAME OF THE PERSON WHO SERVED THE PAPERS FOR YOU
- b. Address: SERVER'S ADDRESS (NOT YOURS!)
- c. Telephone number: SERVER'S TELEPHONE NUMBER
- d. **The fee** for service was: \$

e. I am:

- (1)  not a registered California process server
- (2)  exempt from registration as a process server
- (3)  registered California process server
- (i)  owner  employee  independent contractor.
- (ii) Registration No.:
- (iii) County:

Server checks the box that applies to your case

8.  **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

9.  **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date: DATE SIGNED

SERVER PRINTS NAME

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

SERVER SIGNS NAME

(SIGNATURE)