

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF _____

-----X

[PLAINTIFF(S) NAMES]

CASE NO: _____

Plaintiffs

v.

COMPLAINT

[DEFENDANT(S) NAMES]

Defendants

-----X

Plaintiff complains and for causes of action alleges as follows:

1. Plaintiff is an individual and is now, and at all times mentioned in this complaint was, a resident of _____ County, California. _____

2. Plaintiff has worked as a _____ (plaintiff's occupation) for _____ (specify period) and has resided in _____ (location) for _____ (specify period). Plaintiff has during all this time enjoyed a good reputation, both generally and in _____ (his or her) occupation.]

3. Defendant _____ [name], is an individual and is now, and at all time mentioned in this complaint was, a resident of _____ County, California.

4. Defendant _____ [name of corporation], is now, and at all times mentioned in this complaint was, a corporation organized and existing under the laws of the State of California, with its principal place of business in California in _____ County, California.

5. The true names of defendants DOES 1 through 50, inclusive, are unknown to plaintiff at this time. Plaintiff sues those defendants by such fictitious names pursuant to section 474 of the Code of Civil Procedure. Plaintiff is informed and believes, and based on that information and belief alleges, that each of the defendants designated as a DOE is legally responsible for the events and happenings referred to in this complaint, and unlawfully caused the injuries and damages to plaintiff alleged in this complaint.

6. Plaintiff is informed and believes, and based on that information and belief alleges, that at all times mentioned in this complaint, defendants were the agents and employees of their codefendants and in doing the things alleged in this complaint were acting within the course and scope of such agency and employment.

7. On or about _____ [date], defendants published _____ [describe defamatory matter, for example: a letter stating that plaintiff had been convicted of embezzlement].

8. The _____ [describe publication, for example: letter] referred to plaintiff by name throughout, was made of and concerning plaintiff, and was so understood by those who read the _____ [describe publication, for example: letter].

9. The entire statement _____ [specify statement] is false as it pertains to plaintiff. _____ [If only parts of the publication are defamatory, specifically set forth the false portions.]

10. The _____ [describe publication, for example: letter] is libelous on its face. It clearly exposes plaintiff to hatred, contempt, ridicule and obloquy because _____ [state facts which show statement is libelous on its face, for example: it charges plaintiff with having committed and been convicted of the crime of embezzlement].

11. The _____ [describe publication, for example: letter], was seen and read on or about _____ [date] by _____ [list names of persons by whom publication was seen and read; or describe location where publication was seen and read if specific persons who read publication are not known].

12. As a proximate result of the above-described publication, plaintiff has suffered loss of _____ [his or her] reputation, shame, mortification, and injury to _____ [his or her] feelings, all to _____ [his or her] damage in _____ [the total amount of \$__ or, if the action is brought in superior court, a total amount to be established by proof at trial].

13. The above-described publication was not privileged because it was published by defendants with _____ [specify state of mind and facts supporting the allegation, for example: malice, hatred and ill will toward plaintiff and the desire to injure _____ (him or her), in that defendants had expressed a desire to "get" plaintiff]. Because of defendants' malice in publishing, plaintiff seeks punitive damages in _____ [the total amount of \$__ or, if the action is brought in superior court, a total amount to be established by proof at trial].

WHEREFORE, plaintiff demands judgment against defendants, and each of them, for:

1. Compensatory damages according to proof;
2. Punitive damages;
3. Interest as allowed by law;
4. Costs of suit; and
5. Such other and further relief as this court may deem just and proper.

DATED: _____
(Signature)

VERIFICATION

I, ____, am a ____ in the above-entitled action. I have read the foregoing ____ and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters, I believe it to be true.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Long Beach, California.

DATED: _____

Sworn to me this _____ day of _____, 20____.

Notary public