

Fight debt collectors. Contact attorney Brian Kindsvater

PLD-C-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
 EMILY PIERCE (BAR NO. 240084)/JORDAN D. COOK (BAR NO. 179720)/LORI N. WILLIAMS (BAR NO. 242985)  
 KRISTEN L. BRINKERHOFF (BAR NO. 263579)  
 PORTFOLIO RECOVERY ASSOCIATES, LLC  
 120 CORPORATE BOULEVARD  
 NORFOLK, VA 23502

TELEPHONE NO: 1 (866) 428-8102 FAX NO. (Optional):  
 E-MAIL ADDRESS (Optional):  
 ATTORNEY FOR (Name): PORTFOLIO RECOVERY ASSOCIATES, LLC

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO**

STREET ADDRESS: 720 Ninth Street, Room 102  
 MAILING ADDRESS:  
 CITY AND ZIP CODE: Sacramento, CA 95814  
 BRANCH NAME: Gordon D. Schaber Downtown Courthouse

PLAINTIFF: PORTFOLIO RECOVERY ASSOCIATES, LLC  
 DEFENDANT: BRITNEY SANTIAGO

DOES 1 TO 25

**CONTRACT**

COMPLAINT  AMENDED COMPLAINT (Number):  
 CROSS-COMPLAINT  AMENDED CROSS-COMPLAINT (Number):

**Jurisdiction (check all that apply):**  
 ACTION IS A LIMITED CIVIL  
 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 RECLASSIFIED by this amended complaint or cross-complaint  
 from limited to unlimited  
 from unlimited to limited

**FILED** FOR COURT USE ONLY  
**Superior Court Of California,  
 Sacramento**  
**07/29/2013**  
**macdonald**  
 By \_\_\_\_\_, Deputy  
**Case Number:**  
**34-2013-00148946**

CASE NUMBER:

1. **Plaintiff\* (name or names):**  
 PORTFOLIO RECOVERY ASSOCIATES, LLC  
 alleges causes of action against **defendant\* (name or names):**  
 BRITNEY SANTIAGO
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):** PORTFOLIO RECOVERY ASSOCIATES, LLC  
 (1)  a corporation qualified to do business in California  
 (2)  an unincorporated entity (describe):  
 (3)  other (specify): A Limited Liability Company qualified to do business in California
- 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):**  **except defendant (name):**  
 (1)  a business organization, form unknown (1)  a business organization, form unknown  
 (2)  a corporation (2)  a corporation  
 (3)  an unincorporated entity (describe): (3)  an unincorporated entity (describe):  
 (4)  a public entity (describe): (4)  a public entity (describe):  
 (5)  other (specify): (5)  other (specify):

\* If this form is used as a cross-complaint, plaintiff means cross-complainant and defendant means cross-defendant.

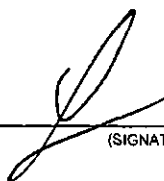
SHORT TITLE: PORTFOLIO RECOVERY ASSOCIATES, LLC vs. BRITNEY SANTIAGO	CASE NUMBER:
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4. (Continued)
- b. The true names of defendants sued as Does are unknown to plaintiff.
- (1)  Doe defendants (specify Doe numbers): \_\_\_\_\_ were the agents or employees 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: **BEFORE COMMENCEMENT OF THIS ACTION, PLAINTIFF INFORMED THE DEFENDANT(S) IN WRITING IT INTENDED TO FILE THIS ACTION AND THAT THIS ACTION WOULD RESULT IN A JUDGMENT AGAINST DEFENDANT(S) THAT WOULD INCLUDE, IF APPLICABLE, COURT COSTS AND NECESSARY DISBURSEMENTS ALLOWED BY CCP SECTION 1033(B)(2).**
10. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for
- a.  damages of: \$ 1,026.31
- b.  interest on the damages
- (1)  according to proof
- (2)  at the rate of (specify): 7 percent per year from (date): 09/29/2011
- c.  attorney's fees
- (1)  of: \$
- (2)  according to proof.
- d.  other (specify): **NOTICE TO THE DEFENDANT(S): ALL NOTICES, LETTERS, PAYMENTS, AND OTHER PAPERS ARE TO BE MAILED TO PLAINTIFF'S ATTORNEY AT THE ADDRESS LISTED IN THE CASE CAPTION UNLESS SUCH TIME, IF ANY, THAT YOU RECEIVE FORMAL WRITTEN NOTICE OF A CHANGE OR SUBSTITUTION OF ATTORNEY BY PLAINTIFF.**
- 11  The paragraphs of this pleading alleged on information and belief are as follows (specify paragraph numbers):

Date: July 5, 2013

Jordan D. Cook/Lori N. Williams/Emily Pierce/Kristen L. Brinkerhoff

(TYPE OR PRINT NAME)

  
 (SIGNATURE OF PLAINTIFF OR ATTORNEY)

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

SHORT TITLE: PORTFOLIO RECOVERY ASSOCIATES, LLC vs. BRITNEY SANTIAGO	CASE NUMBER:
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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): PORTFOLIO RECOVERY ASSOCIATES, LLC

alleges that defendant (name): BRITNEY SANTIAGO AND ALL OTHER DEFENDANTS NAMED HEREIN, INCLUDING DOES 1 TO 25

became indebted to  plaintiff  other (name): Plaintiff's predecessor GE MONEY BANK, F.S.B. / JC PENNEY on an account assigned, transferred and/or sold to Plaintiff. Plaintiff's predecessor can be referred to as Plaintiff.

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):

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: \$1,026.31, which is the fixed and agreed amount due and unpaid despite Plaintiff's demand plus prejudgment interest at the rate of 7% per year from 09/29/2011. The account was purchased from the original creditor GE MONEY BANK, F.S.B. / JC PENNEY.