

IN THE \_\_\_\_\_ COURT OF  
\_\_\_\_\_  
(County),  
\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Name of Plaintiff) PLAINTIFF

V. CAUSE NO. \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(Name of Defendant) DEFENDANT

**COMPLAINT**

COMES NOW \_\_\_\_\_ (*Name of Plaintiff*), Plaintiff in the above-styled and numbered cause, by and through his attorneys, and files this his Complaint against Defendant, \_\_\_\_\_ (*Name of Defendant*), and in support thereof would show unto the Court the following matters and facts:

1. Plaintiff is an adult resident citizen of \_\_\_\_\_  
\_\_\_\_\_  
(*city, county, state*).

2. Defendant is an adult resident citizen of \_\_\_\_\_  
\_\_\_\_\_  
(*city, county, state*).

3. On \_\_\_\_\_ (*date*), in \_\_\_\_\_ (*county* and *state*), in consideration that Plaintiff would sell to \_\_\_\_\_ (*Name of Principal Debtor*), referred to in this action as the *Principal Debtor*, payable in \_\_\_\_\_ (*e.g., ninety days*), such goods as the *Principal Debtor* should desire to buy from Plaintiff, Defendant promised in writing to be answerable to Plaintiff for the price of any such goods so sold on credit. A copy of the Guaranty is attached as **Exhibit A**, and incorporated by reference.

4. Plaintiff thereafter, and in reliance on the Guaranty, sold and delivered to *Principal Debtor* the following goods: (*describe goods*) \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_, for the sum of \$ \_\_\_\_\_ payable in \_\_\_\_\_ (*e.g., ninety days*). Defendant had notice of all of these transactions.

5. On \_\_\_\_\_ (***date***), Plaintiff orally demanded payment of the sum of \$\_\_\_\_\_ from the *Principal Debtor*, but the *Principal Debtor* failed and refused, and still fails and refuses, to pay that sum or any part of it.

6. Plaintiff has performed all the conditions of the principal obligation and Guaranty to be performed by Plaintiff.

7. By letter dated \_\_\_\_\_ (***date***) Plaintiff notified Defendant of the demand on, and nonpayment by, *Principal Debtor*, and demanded payment of the sum of \$\_\_\_\_\_ from Defendant. A copy of that letter is attached as **Exhibit B**, and incorporated by reference.

8. Defendant has failed and refused, and still refuses, to pay the sum of \$\_\_\_\_\_, or any part of it.

Wherefore, Plaintiff prays for judgment of and from the Defendant for the sum of \$\_\_\_\_\_ for the balance owed on the open account and \$\_\_\_\_\_ for reasonable attorney's fees for a total judgment of \$\_\_\_\_\_ plus the court costs of this proceeding, with interest thereon at the legal rate from the date of judgment until paid.

Respectfully submitted,

\_\_\_\_\_  
(***Name of Plaintiff***)

By: \_\_\_\_\_  
(***Signature of Plaintiff's Attorney***)

\_\_\_\_\_  
(***Name of Plaintiff's Attorney***)

State Bar No. \_\_\_\_\_  
One of His Attorneys

OF COUNSEL:

\_\_\_\_\_  
(***Name of Plaintiff's Attorney***)

Post Office Box \_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_  
City, State, Zip Code

Telephone: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_