| (Name, Address of Party or attorn       | ney)  |
|---|---|
|   | <del>.</del><br>-   |
|   | -   |
| State Bar No:                           |   |
| (                                       |   |
| Attorney for (Or "In Pro                | rer j   |
| C                                       | OURT OF THE STATE OF<br>COUNTY OF                               |
| PLAINTIFF(S) NAMES Plaintiffs           | ) CASE NO.:   |
| v                                       | )   |
| DEFENDANT(S) NAMES                      | )   |
| Defendants                              | )   |
|   |   |
|   | COMPLAINT   |
| Come now                                | , Plaintiff, and brings this action for damages against the     |
| Defendant                               | _, and in support hereof would respectfully show unto the Court |
| the following facts and matters, to-wif |   |
| <u> </u>                                |   |
| 1. Plaintiff is a reside                | nt of the State of, whose address is                            |
| ·                                       |   |
| 2. Defendant,                           | , is an adult resident of the State of                          |
| , residing at                           | Said defendant may be found for the                             |
| service of process at his law of        | office located at,,   |
| , which is located                      | d in Further, the   |
| cause of action which is the subject    | of this suit occurred and accrued in County,                    |
|   |   |
|   |   |

| 3. In, Defendant undertook to provide legal services for Plaintiff in                                  |
|--|
| connection with, hereinafter "Legal Matter". At all times Defendant                                    |
| held himself out as competent in the area of law dealing with the legal matter for which Plaintiff     |
| retained the services of Defendant. Plaintiff and Defendant acted under an attorney/client             |
| relationship in which Defendant undertook to represent Plaintiff.                                      |
| 4. Defendant was required to exercise the same legal skill as a reasonably competent                   |
| attorney and to use reasonable care in determining and implementing a strategy to be followed to       |
| achieve the Plaintiff's legal goals. As a fiduciary of Plaintiff, Defendant was obligated to treat all |
| information relating to a Plaintiff's representation as confidential and to zealously represent the    |
| Plaintiff's interests, including the disclosure of any conflicts of interest that might impair the     |

- 5. In the course of handling the legal matter for the Plaintiff, Defendant negligently failed to act with the degree of competence generally possessed by Attorneys in the State who handle legal matters similar to Plaintiff's. Plaintiff paid Defendant a substantial amount of money for the sole purpose of representing Plaintiff in said legal matter.
- 5. Plaintiff aver that Defendant was negligent and/or committed malpractice and breached fiduciary duties to Plaintiff, in the following regard:
  - (a) By failing to explain to the Plaintiff that \_\_\_\_\_\_;

Defendant to ability to represent the Plaintiff.

- (b) By representing to the Plaintiff that \_\_\_\_\_;
- (c) By holding himself out as the attorney for Plaintiff but not representing the best interest of Plaintiff.
- (d) By taking large sums of money under the guise of "non-refundable" retainers without any accounting therefor.
  - (e) By failing to provide Plaintiff with the minimum standard of care.

| (f)           | State other grounds   |
|---------------|---|
| 6.            | In addition to the negligence and/or malpractice committed by the defendant as      |
| mentioned in  | the above paragraph, Defendant fraudulently induced the plaintiffs to pay him large |
| sums of mon   | ey by making representations regarding the legal matter which were untrue.          |
| 7.            | As a direct and proximate result of defendant's negligence and/or malpractice and   |
| fraudulent in | ducement, Plaintiff sustained actual damages in the amount of \$                    |
| WHE           | EREFORE, PREMISES CONSIDERED, Plaintiffs hereby demand judgment of and              |
| from the Def  | fendant in the amount of \$ in compensatory damages, together                       |
| with pre-judg | gment and post-judgment interests and all cost accrued herein.                      |
|               | Respectfully submitted,   |
|               | Plaintiff   |
|               | FIGHTILIT   |