

IN THE CIRCUIT COURT OF \_\_\_\_\_ COUNTY, \_\_\_\_\_

NAME OF PLAINTIFF

V.

NAME OF DEFENDANT

NO. \_\_\_\_\_

COMPLAINT

NOW COMES \_\_\_\_\_, Plaintiff, ("\_\_\_\_\_") and files its Complaint against Defendants, \_\_\_\_\_, ("\_\_\_\_\_") and \_\_\_\_\_ ("\_\_\_\_\_") and for cause of action would show unto the Court the following, to-wit:

1. Plaintiff, \_\_\_\_\_, is a corporation organized and existing pursuant to the laws of the State of \_\_\_\_\_, and having its principal place of business in \_\_\_\_\_ County, \_\_\_\_\_.

2. The Defendants are:

(a) \_\_\_\_\_, a non-resident corporation organized and existing pursuant to the laws of the State of \_\_\_\_\_ and authorized to do business in the State of \_\_\_\_\_, having its principal place of business in \_\_\_\_\_ County, \_\_\_\_\_, and which may be served with process by serving its registered agent, \_\_\_\_\_;

(b) \_\_\_\_\_, an adult resident citizen of the \_\_\_\_\_ Judicial District of \_\_\_\_\_ County, \_\_\_\_\_, who may be served with process at \_\_\_\_\_.

3. The cause of action hereinafter stated occurred and accrued in \_\_\_\_\_ County, \_\_\_\_\_.

4. \_\_\_\_\_ is engaged in the business of wholesale of industrial pipe, valves and supplies to end users of such consumer goods.

5. In \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, the President of \_\_\_\_\_, met with \_\_\_\_\_, a representative of \_\_\_\_\_, at \_\_\_\_\_ in \_\_\_\_\_. The meeting was conducted in order to discuss a potential purchase of \_\_\_\_\_ business by \_\_\_\_\_.

6. In conjunction with the meeting, \_\_\_\_\_ left with \_\_\_\_\_ certain financial statements and other private sensitive documentation concerning condition and business of \_\_\_\_\_.

7. In \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ received a telephone call from \_\_\_\_\_, another representative of \_\_\_\_\_, informing \_\_\_\_\_ that \_\_\_\_\_ was not interested in entering the business of wholesale of industrial pipe, valves, and supplies, and would not offer to purchase \_\_\_\_\_.

8. Shortly thereafter, in \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ began attempting to recruit \_\_\_\_\_, a key employee of \_\_\_\_\_, to go to work for \_\_\_\_\_, in the business of sales of industrial pipe, valves and supplies in \_\_\_\_\_, \_\_\_\_\_ continued to try to lure \_\_\_\_\_ from \_\_\_\_\_ for several months, continuing to offer \_\_\_\_\_ more money and benefits.

9. At all times material hereto, \_\_\_\_\_ was in a confidential relationship with \_\_\_\_\_ and owed \_\_\_\_\_ a fiduciary duty of good faith and fair dealing.

10. In 20\_\_\_\_, \_\_\_\_\_ asked \_\_\_\_\_ if he intended to continue in his employ with \_\_\_\_\_ and was assured by \_\_\_\_\_ that he intended to continue as an employee.

11. In \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, resigned from his employment at \_\_\_\_\_ and went to work for \_\_\_\_\_, substantially performing the same duties he had performed at \_\_\_\_\_ for \_\_\_\_\_.

12. \_\_\_\_\_ and \_\_\_\_\_ have wrongfully misappropriated \_\_\_\_\_ trade secrets in the form of customer lists and bid computation procedures, all to the detriment of \_\_\_\_\_'s former employer, \_\_\_\_\_, to whom he owed a fiduciary duty, and in favor of \_\_\_\_\_'s new employer, \_\_\_\_\_, resulting in damage to \_\_\_\_\_.

13. At all times, \_\_\_\_\_'s misappropriation of trade secrets has been conducted while in the course and scope of his employment with \_\_\_\_\_ and is liable for the actions of \_\_\_\_\_ its employee, \_\_\_\_\_, upon the doctrine of respondeat superior.

14. The customer list and bid computation methods of \_\_\_\_\_ constitute a confidential information of \_\_\_\_\_ as an employee and/or former employee, \_\_\_\_\_ had a high duty not to disclose such information to others to the detriment of \_\_\_\_\_, while in the course and scope of his employment with \_\_\_\_\_.

disclosed and utilized this confidential information to the detriment of \_\_\_\_\_ and the benefit of \_\_\_\_\_, causing damage to \_\_\_\_\_.

15. Due to the wrongful conduct of \_\_\_\_\_ and \_\_\_\_\_, \_\_\_\_\_ has been damaged and will continue to suffer damage to its business, in the sum of \$\_\_\_\_\_.

16. The actions of \_\_\_\_\_ in requiring the confidential financial information pertaining to the business of \_\_\_\_\_ under the pretext of purchasing the business of \_\_\_\_\_, and then hiring the key employee of \_\_\_\_\_ and inducing him to breach his fiduciary duties owed to \_\_\_\_\_ were committed with willful and wanton disregard for the rights of \_\_\_\_\_, and \_\_\_\_\_ is entitled to recover punitive damages from Defendant, \_\_\_\_\_, in such sum as to be established by the Court upon a trial hereof.

WHEREFORE, PREMISES CONSIDERED, \_\_\_\_\_, sues and demands judgment against \_\_\_\_\_ and \_\_\_\_\_, jointly and severally, in the sum of \$\_\_\_\_\_, and punitive damages against Defendant, \_\_\_\_\_, in such sum as will be established by the Court upon a trial hereof, together with its costs.

Respectfully submitted,

\_\_\_\_\_

BY:

\_\_\_\_\_,  
Its Attorney