

1 Mark P. Krones, Esq., Bar #090220
THE LAW OFFICE OF MARK P. KRONES
2 6340 Cascade Street
San Diego, California 92122-2421
3 (619) 457-3438

4 Attorney for Plaintiff
ABC COMPANY, INC.

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6
7 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
8 NORTH COUNTY JUDICIAL DISTRICT

9 ABC COMPANY, INC., a California
10 corporation,
11 Plaintiff,
12 vs.
13 JANICE DOE, an individual; and DOES 1
through 50, inclusive,
14 Defendants

Case No.
COMPLAINT FOR DAMAGES
1. OPEN BOOK ACCOUNT
2. ACCOUNT STATED
3. REASONABLE VALUE
principal \$7,846.00

15
16 Plaintiff complains and alleges as follows:

17 GENERAL ALLEGATIONS

18 1. The cause of action hereinafter stated is a money demand for less
19 than \$25,000.00, and is one of which the above-entitled Court has jurisdiction.
20 The venue and jurisdiction requirements of C.C.P. §§ 395 and 396 are attached
21 hereto as **Exhibit "1"** and incorporated herein as though fully set forth.

22 2. At all times mentioned herein, Plaintiff was, and is, a California
23 corporation authorized to do business in the County of San Diego, State of
24 California and whose transaction of business with furnishing of goods and
25 services to Defendants gives rise to this lawsuit.

1 services, which were provided and delivered to Defendants at their request. No
2 part of the above sum has been paid and the sum of \$7,846.00 is now due and owing
3 from Defendants to Plaintiff, together with interest thereon at the legal rate
4 from and after 12/30/98, plus reasonable attorneys' fees as allowed by law.

5 **FOR A SECOND CAUSE OF**
6 **ACTION AGAINST ALL DEFENDANTS**
7 **(Account Stated)**

8 9. Plaintiff realleges and incorporates herein by reference each and
9 every allegation contained in ¶¶ 1 through 8 of the First Cause of Action, as
10 though fully set forth.

11 10. Plaintiff alleges that on or about 12/30/98, there was an account
12 stated between Plaintiff and Defendants, in which the sum of \$7,846.00 was agreed
13 upon as the balance due to Plaintiff. No part of said sum has been paid, and the
14 sum of \$7,846.00 is now due and owing from said Defendants to Plaintiff, together
15 with interest thereon at the legal rate from and after 12/30/98, plus reasonable
16 attorneys' fees as allowed by law.

17 **FOR A THIRD CAUSE OF**
18 **ACTION AGAINST ALL DEFENDANTS**
19 **(Reasonable Value)**

20 11. Plaintiff realleges and incorporates herein by reference each and
21 every allegation contained within ¶¶ 1 through 10 above, as though fully set
22 forth.

23 12. Plaintiff alleges that on or about 12/30/98, Defendants became
24 indebted to Plaintiff in the sum of \$7,846.00 for goods, wares, merchandise
25 and/or services, which were provided and furnished to Defendants at their
26 request. Despite demands, no part of that sum has been paid and the sum of
27 \$7,846.00 is now due and owing from the Defendants to Plaintiff, together with
28 interest thereon at the legal rate from and after 12/30/98, plus reasonable

1 attorneys' fees as allowed by law. The above sum represents the reasonable value
2 of said goods, wares, merchandise and/or services.

3 **WHEREFORE**, Plaintiff prays for judgment against Defendants, and each of
4 them, as follows:

5 **AS TO ALL DEFENDANTS ON THE**
6 **FIRST, SECOND AND THIRD CAUSES OF ACTION**

- 7 1. For the principal sum of \$7,846.00;
- 8 2. For interest at the proper legal rate on said principal sum from and
9 after 12/30/98, and
- 10 3. For reasonable attorneys' fees pursuant to Civil Code § 1717.5.

11 **AS TO ALL CAUSES OF ACTION**

- 12 1. For costs of suit incurred herein; and
- 13 2. For such other and further relief as is just and proper in this case.

14 DATED: _____

15 _____
16 Mark P. Kroner, Esq.
17 Attorney for Plaintiff ABC
18 COMPANY, INC.

DECLARATION IN SUPPORT OF VENUE AND JURISDICTION

I, MARK P. KRONES, declare,

1. I am an attorney duly licensed to practice law, and am attorney of record for Plaintiff ABC COMPANY, INC. I declare under information and believe the facts stated below.

2. The Superior Court of the North County Judicial District is the proper Court to commence and try the above-entitled action because:

2.1 This judicial district is where the contracts were made and to be performed and where the obligation and liability arose.

2.2 Defendants were and are doing business in this Judicial District.

2.3 The obligation sued upon was and is payable and merchandise sold/services performed within this Judicial District.

2.4 The subject agreements were and are payable within this Judicial District.

2.5 The goods were sold and the agreements were made in this judicial district.

3. The causes of action sued upon are not subject to the provisions of Civil Code §§ 1812.10 or 2984; and

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this _____ day of _____, 1999 in San Diego, California.

Mark P. Krones