

PLD-C-001

SHORT TITLE: GL RECOVERY GROUP LLC A LIMITED LIABILITY COMPANY V. AN INDIVIDUAL.	CASE NUMBER
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4. (Continued)
- b. The true names of defendants listed 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 2964.4.

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:

10. Plaintiff prays for judgment for costs of suit for such relief as is fair, just, and equitable; and for

- a. Damages of \$ 91,465.67
- b. interest on the damages
- (1) according to proof
- (2) _____ at the rate of (specify) _____ percent per year from (date) _____
- c. attorney's fees
- (1) of \$ 660.00
- (2) according to proof
- d. other (specify): _____

FOR SUCH OTHER AND FURTHER RELIEF AS THE COURT DEEMS JUST AND PROPER

11. The paragraphs of this pleading alleged on information and belief are as follows (specify paragraph numbers):
BC-1, BC-2, BC-4, BC-5, CC-1, CC-3 AND CC-4.

Date: 9/8/2009

THOMAS E. STEPP, JR.

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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

SHORT TITLE: GL RECOVERY GROUP, LLC, A LIMITED LIABILITY COMPANY v. AN INDIVIDUAL	CASE NUMBER:
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CAUSE OF ACTION—Breach of Contract

FIRST

ATTACHMENT TO Complaint Cross-Complaint
 (Use a separate cause of action form for each cause of action.)

BC-1. Plaintiff (name): GL RECOVERY GROUP, LLC, A LIMITED LIABILITY COMPANY

alleges that on or about (date): 11/1/1997
 a written oral other (specify):
 agreement was made between (name parties to agreement): PLATINUM SELECT (CITIBANK SOUTH DAKOTA NA) AND DEFENDANT, WHICH WAS PURCHASED BY PLAINTIFF, GL RECOVERY GROUP, LLC
 A copy of the agreement is attached as Exhibit A, or
 The essential terms of the agreement are stated in Attachment BC-1 are as follows (specify):
 PLATINUM SELECT (CITIBANK SOUTH DAKOTA NA) AGREED TO ISSUE A PLATINUM SELECT (CITIBANK SOUTH DAKOTA NA) CREDIT CARD TO DEFENDANT AND DEFENDANT AGREED TO REPAY PLATINUM SELECT (CITIBANK SOUTH DAKOTA NA). PLATINUM SELECT (CITIBANK SOUTH DAKOTA NA) DID, IN FACT, ISSUE TO DEFENDANT A PLATINUM SELECT (CITIBANK SOUTH DAKOTA NA) CREDIT CARD, ACCOUNT NUMBER 5410. DEFENDANT USED THAT CREDIT CARD AND, ACCORDINGLY, BECAME INDEBTED TO PLATINUM SELECT (CITIBANK SOUTH DAKOTA NA) AND SUBSEQUENTLY TO PLAINTIFF.

BC-2. On or about (date): 9/12/2005
 defendant breached the agreement by the acts specified in Attachment BC-2 the following acts (specify): DEFENDANT FAILED AND CONTINUES TO FAIL TO MAKE THE AGREED PAYMENTS.

BC-3. Plaintiff has performed all obligations to defendant except those obligations plaintiff was prevented or excused from performing.

BC-4. Plaintiff suffered damages legally (proximately) caused by defendant's breach of the agreement as stated in Attachment BC-4 as follows (specify): 542,465.67

BC-5. Plaintiff is entitled to attorney fees by an agreement or a statute of \$ 660.00 according to proof.

BC-8. Other

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SHORT TITLE: GL RECOVERY GROUP, LLC, A LIMITED LIABILITY COMPANY v. : AN INDIVIDUAL

CASE NUMBER:

SECOND

(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): GL RECOVERY GROUP, LLC, A LIMITED LIABILITY COMPANY

alleges that defendant (name):

AN

INDIVIDUAL

became indebted to plaintiff other (name):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 in 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 \$ 660.00 according to proof.

CC-4. Other: FOR SUCH OTHER AND FURTHER RELIEF AS THE COURT DEEMS JUST AND PROPER.

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