

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address):</i> <hr style="width: 20px; margin-left: 0;"/> TELEPHONE NO: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	FOR COURT USE ONLY
NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
SHORT TITLE:	
CROSS-COMPLAINANT: CROSS-DEFENDANT:	
<input type="checkbox"/> DOES 1 TO _____	
CROSS-COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (Number): Causes of Action (check all that apply): <input type="checkbox"/> Apportionment of Fault <input type="checkbox"/> Declaratory Relief <input type="checkbox"/> Indemnification <input type="checkbox"/> Other <i>(specify):</i> _____	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE (\$25,000 or less) <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) It <input type="checkbox"/> is <input type="checkbox"/> is not reclassified as unlimited by this cross-complaint	CASE NUMBER: _____

1. CROSS-COMPLAINANT *(name)*:

 alleges causes of action against CROSS-DEFENDANT *(name)*:

2. This pleading, including exhibits and attachments, consists of the following number of pages: _____

3. Each cross-complainant named above is a competent adult
 - a. **except** cross-complainant *(name)*:
 - (1) a corporation qualified to do business in California
 - (2) an unincorporated entity *(describe)*:
 - (3) a public entity *(describe)*:
 - (4) a minor an adult
 - (a) for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) other *(specify)*:
 - (5) other *(specify)*:

Information about additional cross-complainants who are not competent adults is contained in Cross-Complaint—Attachment 3.

SHORT TITLE: 	CASE NUMBER:
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4. Each cross-defendant named above is a natural person

- a. **except** cross-defendant (*name*):
- (1) a business organization, form unknown
 - (2) a corporation
 - (3) an unincorporated entity (*describe*):
 - (4) a public entity (*describe*):
 - (5) other (*specify*):

- b. **except** cross-defendant (*name*):
- (1) a business organization, form unknown
 - (2) a corporation
 - (3) an unincorporated entity (*describe*):
 - (4) a public entity (*describe*):
 - (5) other (*specify*):

Information about additional cross-defendants who are not natural persons is contained in Cross-Complaint-Attachment 4.

5. The true names and capacities of cross-defendants sued as Does are unknown to cross-complainant.

6. Cross-complainant is required to comply with a claims statute, **and**

- a. has complied with applicable claims statutes, **or**
- b. is excused from complying because (*specify*):

7. _____ **Cause of Action—indemnification**
(NUMBER)

- a. Cross-defendants were the agents, employees, co-venturers, partners, or in some manner agents or principals, or both, for each other and were acting within the course and scope of their agency or employment.
- b. The principal action alleges, among other things, conduct entitling plaintiff to compensatory damages against me. I contend that I am not liable for events and occurrences described in plaintiffs complaint.
- c. If I am found in some manner responsible to plaintiff or to anyone else as a result of the incidents and occurrences described in plaintiffs complaint, my liability would be based solely upon a derivative form of liability not resulting from my conduct, but only from an obligation imposed upon me by law; therefore, I would be entitled to complete indemnity from each cross-defendant.

8. _____ **Cause of Action—Apportionment of Fault**
(NUMBER)

- a. Each cross-defendant was responsible, in whole or in part, for the injuries, if any, suffered by plaintiff.
- b. If I am judged liable to plaintiff, each cross-defendant should be required: (1) to pay a share of plaintiffs judgment which is in proportion to the comparative negligence of that cross-defendant in causing plaintiff's damages; and (2) to reimburse me for any payments I make to plaintiff in excess of my proportional share of all cross-defendants' negligence.

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9. _____ **Cause of Action—Declaratory Relief**
(NUMBER)

An actual controversy exists between the parties concerning their respective rights and duties because cross-complainant contends and cross-defendant disputes as specified in Cross-Complaint—Attachment 9 as follows:

10. _____ **Cause of Action—(specify):**
(NUMBER)

11. The following additional causes of action are attached and the statements below apply to each (*in each of the attachments, "plaintiff" means "cross-complainant" and "defendant" means "cross-defendant"*):

- a. Motor Vehicle
- b. General Negligence
- c. Intentional Tort
- d. Products Liability
- e. Premises Liability
- f. Other (*specify*):

12. **CROSS-COMPLAINANT PRAYS** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. total and complete indemnity for any judgments rendered against me.
- b. judgment in a proportionate share from each cross-defendant.
- c. a judicial determination that cross-defendants were the legal cause of any injuries and damages sustained by plaintiff and that cross-defendants indemnify me, either completely or partially, for any sums of money which may be recovered against me by plaintiff.
- d. compensatory damages
 - (1) (unlimited civil cases) according to proof.
 - (2) (limited civil cases) in the amount of: \$
- e. other (*specify*):

13. The paragraphs of this cross-complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date:

(TYPE OR PRINT NAME)

▶

(SIGNATURE OF CROSS-COMPLAINANT OR ATTORNEY)