

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, state bar number, and address</i> ):   TELEPHONE NO: _____ FAX NO. ( <i>Optional</i> ): _____ E-MAIL ADDRESS ( <i>Optional</i> ): _____ ATTORNEY FOR ( <i>Name</i> ): _____	<b>FOR COURT USE ONLY</b>
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 _____	
<b>CROSS-COMPLAINT—Personal Injury, Property Damage, Wrongful Death</b> <input type="checkbox"/> <b>AMENDED (<i>Number</i>):</b> <b>Causes of Action (<i>check all that apply</i>):</b> <input type="checkbox"/> Apportionment of Fault <input type="checkbox"/> Declaratory Relief <input type="checkbox"/> Indemnification <input type="checkbox"/> Other ( <i>specify</i> ):	
<b>Jurisdiction (<i>check all that apply</i>):</b> <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.

(Continued on reverse)

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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 plaintiff's 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 plaintiff's 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 plaintiff's 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.

(Continued on page three)

SHORT TITLE: _____	CASE NUMBER: _____
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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)