

COMPLAINT FOR FRAUD

Sample Only
Use At Your Own Risk



INSTRUCTIONS: The following is a “cause of action” to be inserted after the heading of the complaint and common allegations. Include as many other causes of action as you have claims such as fraud, accounting, etc. Your “prayer” (request for relief) comes after your causes of action and must describe the relief you are seeking for each cause of action.

_____ CAUSE OF ACTION

(For Fraud Against _____)

<>. Defendant __, __ is __, and at all times herein mentioned was __, a resident __ of the City of __, County of __, State of California.

<>. Defendant __, __, is __, and at all times herein mentioned, was __ a Corporation organized and existing under the laws of the State of California with principle offices located at __, in the City of __, County of __.

<>. Plaintiff __ is __ ignorant of the true names and capacities of defendants sued herein as DOES I through X, inclusive, and therefore sues __ these defendants by such fictitious names. Plaintiff __ will amend this complaint to allege their true names and capacities when ascertained.

<>. Plaintiff __ is __ informed and believes __ and thereon alleges __ that, at all times herein mentioned, each of the defendants sued herein was the agent and employee of each of the remaining defendants and was at all times acting within the purpose and scope of such agency and employment.

<>. On or about __, 19 __, defendant __ falsely and fraudulently represented to plaintiff that __.

<>. The representations made by defendant were in fact false. The true facts

were:___

<>. When the defendant made these representations ___ knew them to be false, and these representations were made by defendant with the intent to defraud and deceive plaintiff and with the intent to induce plaintiff to act in the manner herein alleged. (--AND ___ At the time defendant made the promises to plaintiff, defendant had no intention of performing them.

<>. Plaintiff, at the time these representations were made by defendant and at the time plaintiff took the actions herein alleged, was ignorant of the falsity of defendant's representations and believed them to be true. (---OR ___ Plaintiff, at the time this promise was made and at the time plaintiff took the actions herein alleged, was ignorant of defendant's secret intention not to perform and plaintiff could not, in the exercise of reasonable diligence, have discovered defendant's secret intention.) In reliance on these representations, plaintiff was induced to and did ____. Had plaintiff known the actual facts, ___ would not have taken such action. (---OR ___ If plaintiff had known of the actual intention of defendant, plaintiff would not have taken such action.) Plaintiff's reliance on defendant's representations was justified because ___.

<>. As a proximate result of defendant's fraud and deciet and the facts herein alleged, plaintiff was ___ by reason of which plaintiff has been damaged in the sum of \$___.

<>. In doing the acts herein alleged, defendant acted with oppression, fraud, and malice, and plaintiff is entitled to punitive damages in the sum of \$___.

WHEREFORE, plaintiff__ pray__ judgment against defendant__ and each of them, as follows:

1. For general damages in the sum of \$___;
2. For damages for ___ in the sum of \$___;
3. For punitive damages in the sum of \$___;

4. For costs of suit incurred herein; and
5. For such other and further relief as the court may deem proper.

Date: _____
_____ [Plaintiff's name]
Plaintiff *In Pro Per*

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