

COMPLAINT FOR NEGLIGENCE (PREMISES LIABILITY)

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

(Negligence Against _____)

5. At all times mentioned in this complaint, defendant _____ [store] and defendants DOES 1 through 50 owned and operated a _____ [grocery or as the case may be] store known as _____ [store name], located at _____ [address], _____ [city], _____ County, California. Defendants invited the general public, including plaintiff, to enter the premises of the _____ [grocery or as the case may be] store and to purchase various _____ [food or as the case may be] items from defendants.

6. On _____ [date], at approximately _____ [time], _____ [describe incident, such as: plaintiff was on the premises of defendants' grocery store for the purpose of purchasing groceries. After entering the store, plaintiff proceeded to the produce aisle when suddenly and without warning plaintiff slipped on an unknown substance and fell violently to the floor, causing plaintiff to sustain the serious injuries and damages described below].

7. Defendants, as owners and operators of a _____ [grocery or as the case may be] store negligently:

- a. Failed to maintain the floor of the _____ [grocery or as the case may be] store in a reasonably safe condition;

- b. Allowed a slippery substance to come into contact with and remain on the floor of the _____ [grocery or as the case may be] store when defendant knew, or in the exercise of reasonable care should have known, that the substance created an unreasonable risk of harm to customers in the store;
- c. Failed to warn plaintiff of the danger presented by the presence of the slippery substance on the floor;
- d. Failed to install a nonslip surface on the floor of the store; and
- e. Failed to otherwise exercise due care with respect to the matters alleged in this complaint.

8. As a direct and proximate result of the negligence of defendants as set forth above, plaintiff slipped and fell while in the store.

9. As a further direct and proximate result of the negligence of defendants as set forth above, plaintiff sustained the following serious injuries and damages: _____ [set forth injuries and damages in detail, including medical expenses, lost wages, pain and suffering, and physical injuries].

WHEREFORE, plaintiff demands judgment against defendants, and each of them, for the following:

- 1. General damages according to proof;
- 2. _____ [Specify special damages, for example: Damages for medical and related expenses according to proof;
- 3. Damages for loss of earnings according to proof;]
- 4. _____ [Specify any other relief sought;]
- 5. Interest according to law;

6. Costs of this action; and

7. Any other and further relief that the court considers proper.

Date: _____

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

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