

## COMPLAINT FOR LIBEL

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

(Libel Against \_\_\_\_\_)

1. Plaintiff is an individual and is now, and at all times mentioned in this complaint was, a resident of \_\_\_\_\_ County, California. \_\_\_\_\_ [Make other allegations regarding plaintiff's status as necessary, for example: Plaintiff has worked as a \_\_\_\_\_ (plaintiff's occupation) for \_\_\_\_\_ (specify period) and has resided in \_\_\_\_\_ (location) for \_\_\_\_\_ (specify period). Plaintiff has during all this time enjoyed a good reputation, both generally and in \_\_\_\_\_ (his or her) occupation.]

2. Defendant \_\_\_\_\_ [name], is an individual and is now, and at all time mentioned in this complaint was, a resident of \_\_\_\_\_ County, California.

3. Defendant \_\_\_\_\_ [name of corporation], is now, and at all times mentioned in this complaint was, a corporation organized and existing under the laws of the State of California, with its principal place of business in California in \_\_\_\_\_ County, California.

4. The true names of defendants DOES 1 through 50, inclusive, are unknown to plaintiff at this time. Plaintiff sues those defendants by such fictitious names pursuant to section 474 of the Code of Civil Procedure. Plaintiff is informed and believes, and based on that information and belief alleges, that each of the defendants designated as a DOE is legally responsible for the events and happenings referred to in this complaint, and

unlawfully caused the injuries and damages to plaintiff alleged in this complaint.

5. Plaintiff is informed and believes, and based on that information and belief alleges, that at all times mentioned in this complaint, defendants were the agents and employees of their codefendants and in doing the things alleged in this complaint were acting within the course and scope of such agency and employment.

6. On or about \_\_\_\_\_ [date], defendants published \_\_\_\_\_ [describe defamatory matter, for example: a letter stating that plaintiff had been convicted of embezzlement].

7. The \_\_\_\_\_ [describe publication, for example: letter] referred to plaintiff by name throughout, was made of and concerning plaintiff, and was so understood by those who read the \_\_\_\_\_ [describe publication, for example: letter].

8. The entire statement \_\_\_\_\_ [specify statement] is false as it pertains to plaintiff. \_\_\_\_\_ [If only parts of the publication are defamatory, specifically set forth the false portions.]

9. The \_\_\_\_\_ [describe publication, for example: letter] is libelous on its face. It clearly exposes plaintiff \_\_\_\_\_ to hatred, contempt, ridicule and obloquy because \_\_\_\_\_ [state facts which show statement is libelous on its face, for example: it charges plaintiff with having committed and been convicted of the crime of embezzlement].

10. The \_\_\_\_\_ [describe publication, for example: letter], was seen and read on or about \_\_\_\_\_ [date] by \_\_\_\_\_ [list names of persons by whom publication was seen and read; or describe location where publication was seen and read if specific persons who read publication are not known].

11. As a proximate result of the above-described publication, plaintiff has suffered loss of \_\_\_\_\_ [his or her] reputation, shame, mortification, and injury to \_\_\_\_\_ [his or her] feelings, all to \_\_\_\_\_ [his or her] damage in \_\_\_\_\_

[the total amount of \$\_\_ or, if the action is brought in superior court, a total amount to be established by proof at trial].

12. The above-described publication was not privileged because it was published by defendants with \_\_\_\_\_ [specify state of mind and facts supporting the allegation, for example: malice, hatred and ill will toward plaintiff and the desire to injure \_\_\_\_\_ (him or her), in that defendants had expressed a desire to "get" plaintiff]. Because of defendants' malice in publishing, plaintiff seeks punitive damages in \_\_\_\_\_ [the total amount of \$\_\_ or, if the action is brought in superior court, a total amount to be established by proof at trial].

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

1. Compensatory damages according to proof;
2. Punitive damages;
3. Interest as allowed by law;
4. Costs of suit; and
5. Such other and further relief as this court may deem

just and proper.

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

Gene Kinsey Kinsey Law Offices 1198 Pacific Coast Hwy., Suite 353 Seal Beach, CA 90740	Phone: (562) 596-8177 Email: <a href="mailto:KinseyE@ix.netcom.com">KinseyE@ix.netcom.com</a> Web: <a href="http://www.kinseylaw.com">www.kinseylaw.com</a> <a href="http://www.realpropertypartition.com">www.realpropertypartition.com</a>
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