

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS):	TELEPHONE:	FOR COURT USE ONLY
ATTORNEY FOR (NAME):		
Insert name of court, judicial district or branch court, if any, and post office and street address:		
SHORT TITLE:		
CROSS-COMPLAINANT:		
CROSS-DEFENDANT:		
<input type="checkbox"/> DOES 1 TO _____		
<b>CROSS-COMPLAINT—Personal Injury, Property Damage, Wrongful Death</b>		CASE NUMBER:
<input type="checkbox"/> Apportionment of Fault <input type="checkbox"/> Declaratory Relief <input type="checkbox"/> Indemnification <input type="checkbox"/> Other ( <i>specify</i> ):		

1. This pleading, including exhibits and attachments, consists of the following number of pages: \_\_\_\_\_

CROSS-COMPLAINANT (*name*):

SAYS AGAINST CROSS-DEFENDANT (*name*):

2.  The following causes of action are attached and the statements below apply to each: (*In the attachments plaintiff means cross-complainant and defendant means cross-defendant.*)

- |  |   |
|--|---|
| <input type="checkbox"/> Motor Vehicle             | <input type="checkbox"/> Products Liability |
| <input type="checkbox"/> General Negligence        | <input type="checkbox"/> Premises Liability |
| <input type="checkbox"/> Intentional Tort          |   |
| <input type="checkbox"/> Other ( <i>specify</i> ): |   |

3. a. Each cross-complainant named above is a competent adult

**Except** cross-complainant (*name*):

- a corporation qualified to do business in California
- an unincorporated entity (*describe*):
- a public entity (*describe*):
- a minor     an adult
  - for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
  - other (*specify*):
- other (*specify*):

b.  Information about additional cross-complainants who are not competent adults is contained in Cross-Complaint–Attachment 3b. (Continued)

SHORT TITLE:	CASE NUMBER:
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**CROSS-COMPLAINT—Personal Injury, Property Damage, Wrongful Death**

4. a. Each cross-defendant named above is a natural person

**Except** cross-defendant (*name*):  **Except** cross-defendant (*name*):

- a business organization, form unknown
- a corporation
- an unincorporated entity (*describe*):

- a business organization, form unknown
- a corporation
- an unincorporated entity (*describe*):

a public entity (*describe*):

a public entity (*describe*):

other (*describe*):

other (*describe*):

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

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

5.  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*):

6.  \_\_\_\_\_ **Cause of Action–Indemnification**  
(number)

- a. I am informed and believe that 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.

7.  \_\_\_\_\_ **Cause of Action–Apportionment of Fault**  
(number)

I am informed and believe that each cross-defendant was responsible, in whole or in part, for the injuries, if any, suffered by plaintiff. If I am judged liable to plaintiff, each cross-defendant should be required:

- a. 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
- b. to reimburse me for any payments I make to plaintiff in excess of my proportional share of all cross-defendants' negligence.

SHORT TITLE:

CASE NUMBER:

**CROSS-COMPLAINT – Personal Injury, Property Damage, Wrongful Death (Continued)**

Page three

8.  \_\_\_\_\_ 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 8  as follows:

9.  \_\_\_\_\_ Cause of Action–(Specify):  
(number)

10. CROSS-COMPLAINANT PRAYS

For judgment for costs of suit; for such relief as is fair, just, and equitable; and for

compensatory damages

(Superior Court) according to proof.

(Municipal and Justice Court) in the amount of \$\_\_\_\_\_

total and complete indemnity for any judgments rendered against me.

judgment in a proportionate share from each cross-defendant.

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.

other (specify):

.....  
(Type or print name)

\_\_\_\_\_  
(Signature of cross-complainant or attorney)