

SHORT TITLE: PLANNED BUILDING SERVICES, INC. V. PARKMERCED OWNER LLC	CASE NUMBER:
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4. b. The true names of defendants sued as Does are unknown to plaintiff.
- (1) Doe defendants (*specify Doe numbers*): 1-5 were the agents or employees of the named defendants and acted within the scope of that agency or employment.
 - (2) Doe defendants (*specify Doe numbers*): 6-10 are persons whose capacities are unknown to plaintiff.
- c. Information about additional defendants who are not natural persons is contained in Attachment 4c.
- d. Defendants who are joined under Code of Civil Procedure section 382 are (*names*):

5. Plaintiff 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. This action is subject to Civil Code section 1812.10 Civil Code section 2984.4.

7. This court is the proper court because
- a. a defendant entered into the contract here.
 - b. a defendant lived here when the contract was entered into.
 - c. a defendant lives here now.
 - d. the contract was to be performed here.
 - e. a defendant is a corporation or unincorporated association and its principal place of business is here.
 - f. real property that is the subject of this action is located here.
 - g. other (*specify*):

8. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):
- Breach of Contract
 - Common Counts
 - Other (*specify*):

9. Other allegations:

10. **Plaintiff prays** for judgment for costs of suit; for such relief as is fair, just, and equitable; and for
- a. damages of: \$ 2,944,196.71
 - b. interest on the damages
 - (1) according to proof
 - (2) at the rate of (*specify*): percent per year from (*date*):
 - c. attorney's fees
 - (1) of: \$
 - (2) according to proof.
 - d. other (*specify*): costs of suit

11. The paragraphs of this pleading alleged on information and belief are as follows (*specify paragraph numbers*):

Date: April 16, 2024

Christin Kim _____

(TYPE OR PRINT NAME)

▶ 

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

(If you wish to verify this pleading, offi... verification)

SHORT TITLE:

PLANNED BUILDING SERVICES, INC. V. PARKMERCED OWNER LLC

CASE NUMBER:

FIRST

(number)

CAUSE OF ACTION—Breach of ContractATTACHMENT TO Complaint Cross - Complaint*(Use a separate cause of action form for each cause of action.)*BC-1. Plaintiff (*name*): Planned Building Services, Inc.alleges that on or about (*date*): July 1, 2023a written oral other (*specify*):agreement was made between (*name parties to agreement*): Planned Building Services, Inc. and Parkmerced Owner LLC A copy of the agreement is attached as Exhibit A, or The essential terms of the agreement are stated in Attachment BC- 1 are as follows (*specify*): Parkmerced Owner LLC agreed to pay Planned Building Services, Inc. for janitorial and maintenance services performed at a real property commonly known as Parkmerced, located at 3711 19th Avenue, San Francisco, California 94132.BC-2. On or about (*dates*): March 18, 2024defendant breached the agreement by the acts specified in Attachment BC-2 the following acts (*specify*): failure to pay for Plaintiff's services performed under the written agreement.

BC-3. Plaintiff has performed all obligations to defendant except those obligations plaintiff was prevented or excused from performing.

BC-4. Plaintiff suffered damages legally (proximately) caused by defendant's breach of the agreement

 as stated in Attachment BC-4 as follows (*specify*): \$2,944,196.71BC-5. Plaintiff is entitled to attorney fees by an agreement or a statute of \$ according to proof.BC-6. Other: costs of suit

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SECOND **CAUSE OF ACTION—Common Counts**

(number)

ATTACHMENT TO Complaint Cross - Complaint

(Use a separate cause of action form for each cause of action.)

CC-1. Plaintiff (*name*): Planned Building Services, Inc.

alleges that defendant (*name*): Parkmerced Owner LLC

became indebted to plaintiff other (*name*):

- a. within the last four years
- (1) on an open book account for money due.
- (2) because an account was stated in writing by and between plaintiff and defendant in which it was agreed that defendant was indebted to plaintiff.
- b. within the last two years four years
- (1) for money had and received by defendant for the use and benefit of plaintiff.
- (2) for work, labor, services and materials rendered at the special instance and request of defendant and for which defendant promised to pay plaintiff.
- the sum of \$
- the reasonable value.
- (3) for goods, wares, and merchandise sold and delivered to defendant and for which defendant promised to pay plaintiff
- the sum of \$
- the reasonable value.
- (4) for money lent by plaintiff to defendant at defendant's request.
- (5) for money paid, laid out, and expended to or for defendant at defendant's special instance and request.
- (6) other (*specify*):

CC-2. \$ 2,944,196.71, which is the reasonable value, is due and unpaid despite plaintiff's demand,

plus prejudgment interest according to proof at the rate of _____ percent per year
from (*date*):

CC-3. Plaintiff is entitled to attorney fees by an agreement or a statute

of \$

according to proof.

CC-4. Other: costs of suit

EXHIBIT A

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

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LAW FIRMS

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Automate many repetitive legal tasks like conflict checks, document management, and marketing.

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Litigation and bankruptcy checks for companies and debtors.

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