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LEGAL PROCESS #6

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8 Attorneys for: Plaintiff

9 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO

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10
11 PACIFIC COAST BUILDING
12 PRODUCTS, INC., a California
13 corporation, doing business as PACIFIC
14 SUPPLY,

15 Plaintiff,

16 vs.

17 MJB/BIXBY CONSTRUCTION, INC., a
18 California corporation; MARK
19 JONATHAN BIXBY, and DOES ONE
20 through TEN, inclusive,

21 Defendants.

Case No. 03AM06890

Limited Civil Case

COMPLAINT FOR MONEY, OPEN
BOOK ACCOUNT, PERSONAL
GUARANTY, ACCOUNT STATED,
AND REASONABLE VALUE

Prayer does not exceed \$6,380.65

22 Plaintiff alleges:

23 **PRELIMINARY ALLEGATIONS**

24 1. Defendants, DOES ONE through TEN inclusive, are the fictitious names
25 of those defendants whose true names and capacities are unknown to plaintiff, and when
26 ascertained, plaintiff will amend this complaint in accordance with California Code of Civil
27 Procedure Section 474. Whenever any defendant is the subject of any charging allegations,
28 said DOES are also responsible in some manner, and are likewise the subject of charging
allegations.

KEYED

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SUMMONS ISSUED / 32.30

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THIRD CAUSE OF ACTION

(Complaint for Reasonable Value Against Defendants MJB/BIXBY
and MARK JONATHAN BIXBY)

1. Plaintiff incorporates herein by reference the Preliminary Allegations hereinabove set forth, as well as paragraphs 2, 3, 5, and 6 of the First Cause of Action set forth above, the same as though set out at length herein.

2. Between January 20, 2003 through April 9, 2003, defendants became indebted to plaintiff in the sum of \$7,349.53 for building materials and related supplies furnished and supplied to defendants at their request, the reasonable value of which is \$7,349.53.

WHEREFORE, plaintiff prays for judgment against the defendants MJB/BIXBY CONSTRUCTION, INC., a California corporation, MARK JONATHAN BIXBY, and DOES ONE through TEN, and each of them, as follows:

1. Principal in the sum of \$6,380.65 together with service charges in the sum of \$341.27 which have accrued up to August 6, 2003, and further service charges at the rate of eighteen percent per annum;
2. For attorney's fees in the sum of \$1,257.10, or in such other reasonable amount as determined by the court, according to proof;
3. For costs of suit incurred herein; and
4. For such other, further or general relief as may be proper in the premises.

Dated: August 6, 2003

FENNELL & OLSEN

By: 

JEFFREY G. OLSEN
Attorneys for Plaintiff