

SC-100 Claim and ORDER to Go to
Plaintiff's Small Claims Court

Clerk stamps date here when form is filed.

Notice to the person being sued:

On: 06/16/2009 01 :38:42 PM

- You are the Defendant if your name is listed in **(R)** Page 2 of this form. The person suing you is the Plaintiff, listed in **11J** on page 2.
- You and the Plaintiff must go to court on the trial date listed below. If you do not go to court, you may lose the case.
- If you lose, the court can order that your wages, money, or property be taken to pay this claim.
- Bring witnesses, receipts, and any evidence you need to prove your case.
- Read this form and all pages attached to understand the claim against you and to protect your rights.

Fill in court name and street address:

Superior Court of California
County of Sacramento Small
Claims Division
301 Bicentennial Circle
Sacramento, CA 95826-2701
(916) 875-7514

Clerk fills in case number and case name:

Case Number:
09SC03912

Aviso al Demandado:

Case Name:
**JAMES MICHAEL HOLIDAY vs.
US LOAN AUDITORS**

- Usted es el Demandado si su nombre figura en **(@)** de la pagina 2 de este formulario. La persona que lo demanda es el Demandante, la que figura en **(CD)** de la pagina 2.
- Usted y el Demandante tienen que presentarse en la corte en la fecha del juicio indicada a continuación. Si no se presenta, puede perder el caso.
- Si pierde el caso la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.
- Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
- Lea este formulario y todas las paginas adjuntas para entender la demanda en su contra y para proteger sus derechos.

- COURT COPY -

Order to Go to Court

ELECTRONICALLY FILED

Superior Court of California County of Sacramento Small Claims Division

File By: ChuppB

The people in **(CD)** and **(@)** must go to court: (Clerk fills out section below.)

| | | | |
|------------------------|------------------|------------|---|
| Trial •• Date | Time | Department | Name and address of court if different from above |
| Date <u>07/28/2009</u> | <u>8:15 A.M.</u> | <u>86</u> | <u>301 Bicentennial Circle, Sacramento, CA 95826-2701</u> |

Date: June 16, 2009 Dennis B. Jones, Clerk, by _____ B..... -"C~h.....u.Lpp.,---, Deputy

Instructions for the person suing:

- You are the Plaintiff. The person you are suing is the Defendant.
- Before you fill out this form, read Form SC-ISO, *Information for the Plaintiff (Small Claims)*, to know your rights. Get SC-ISO at any courthouse or county law library, or go to: www.courtinfo.ca.gov/forms
- Fill out pages 2 and 3 of this form. Then make copies of all pages of this form. (Make J copy for each party named in this case and an extra copy for yourself.) Take or mail the original and these copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above.
- You must have someone at least 18-not you or anyone else listed in this case-give each Defendant a court-stamped copy of all S pages of this form and any pages this form tells you to attach. There are special rules for "serving," or delivering, this form to public entities, associations, and some businesses. See Forms SC-J 04, SC-J 04B and SC-J 04C.
- Go to court on your trial date listed above. Bring witnesses, receipts, and any evidence you need to prove your case.

Plaintiff's Claim and

**ORDER to Go to Small Claims
Court (Small Claims)**
SC-100, Page 1 of 5

CD The Plaintiff (the person, business, or public entity that is suing) is:

Name: HOLIDAY JAMES MICHAEL; Doing Business As: FASTPOINT NETWORKING SOLUTIONS

Street address: 60 W A TERGLEN crR Phone: (916) 3 83-8451

City: SACRAMENTO State: CA Zip: 95826

Mail address (if different): _____

If more than one Plaintiff, list next Plaintiff here:

Name: _____

Street address: _____ Phone: _____

City: _____ State: _____ Zip: _____

Mailing address (if different): _____

- o Check here if more than 2 Plaintiffs and attach Form SC-JOOA.
- o Check here if either Plaintiff listed above is doing business under a fictitious name. If so attach Form SC-J03.

R The Defendant (the person, business, or public entity being sued) is:

Name: US LOAN AUDITORS

Street address: 817 14TH ST Phone: _____

City: SACRAMENTO State: CA Zip: 95814

Mailing address (if different): _____

If more than one Defendant, list next Defendant here:

Name: JEFF PULVINO - As Agent for Service for US LOAN AUDITORS

Street address: 817 14TH ST Phone: _____

City: SACRAMENTO State: CA Zip: 95814

Mailing address (if different): _____

- o Check here if more than 2 Defendants and attach Form SC-JOOA.

o Check here if any Defendant is on active military duty, and write his or her name here: _____

o The Plaintiff claims the Defendant owes \$2,232.50 . (Explain below):

- Why does the Defendant owe the Plaintiff money? Ryan Easley, an employee of Fast Point Networking Solutions performed 23.5 hours of work and successfully completed the task of installing the Time Matters software, while he was their he also successfully repaired several other problems however Jeff Pulvino, owner of US Loan Auditors refuses to pay.

b. When did this happen? (Date): _____

If no specific date, give the time period: Date started: April 3, 2009 Through: April 9, 2009

- How did you calculate the money owed to you? (Do not include court costs or fees for service.) 23.5 Hours of work at \$95.00 an hr.
- o Check here if you need more space. Attach one sheet of paper or Form MC-031 and write "Se-IOO, Item 3" at the top

o You must ask the Defendant (in person, in writing, or by phone) to pay you before you sue.

Have you done this? Yes No If no,

explain why not:

CD Why are you filing your claim at this courthouse?

This courthouse covers the area (check all that applies): a. i ii iii

(4) Where the contract was made or where the contract was performed, or broken by the Defendant or where the Defendant lived or did Plaintiff's property was damaged. (3) Where the Plaintiff was _____ business when the Defendant made the contract.

b. D Where the buyer or lessee signed the contract, lives now, or lived when the contract was made, if this claim is about an offer or contract for personal, family, or household goods, services, or loans. (Code Civ. Proc., § 395(b).)

c. D Where the buyer signed the contract, lives now, or lived when the contract was made, if this claim is about a retail installment contract (like a credit card). (Civil Code, § 1812.10.)

d. D Where the buyer signed the contract, lives now, or lived when the contract was made, or where the vehicle is permanently garaged, if this claim is about a vehicle finance sale. (Civil Code, § 2984.4.)

e. D Other (specify): ~~~~~

O List the zip code of the place checked in @above (if you know): 95,8,--1,4 ~ _____

(j) Is your claim about an attorney-client fee dispute? Yes No

If yes, and if you have had arbitration, fill out Form SC-101, attach it to this form and check here:

CD Are you suing a public entity? Yes No

If yes, you must file a written claim with the entity first. A claim was filed on (date): ~~~~~

If the public entity denies your claim or does not answer within the time allowed by law, you can file this form.

eD Have you filed more than 12 other small claims within the last 12 months in California?

Yes No If yes, the filing fee for this case will be higher.

@ I understand that by filing a claim in small claims court, I have no right to appeal this claim. **@**

I have not filed, and understand that **I** cannot file, more than two small claims cases for more than \$2,500 in California during this calendar year.

I declare, under penalty of perjury under California State law, that the information above and on any attachments to this form is true and correct.

Date: June 16, 2009

HOLIDA Y, JAMES MICHAEL
Plaintiff types or prints name here

~ (Filed Electronically /s/)
Plaintiff signs here

Date: _____

Second Plaintiff types or prints name here

Second Plaintiff signs here



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the trial. Contact the clerk's office for Form MC-41 0, Request for Accommodations by Persons with Disabilities and Response. (Civil Code, § 54.8.)