

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

CASE NO. _____
[to be filled in by Clerk's Office]

COMPLAINT TO REQUIRE
PERFORMANCE OF A
CONTRACT TO CONVEY REAL
PROPERTY
(28 U.S.C. § 1332; Diversity of
Citizenship)

Jury Trial: ☐ Yes ☐ No

v.

Plaintiff(s),

Defendant(s).

I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	_____
Street Address	_____
City and County	_____
State and Zip Code	_____
Telephone Number	_____

B. Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

Defendant No. 2

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

Defendant No. 3

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

Defendant No. 4

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

II. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☐ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case. Attach additional pages if needed.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual.

The plaintiff (*name*) _____, is a citizen of the State of (*name*) _____.

b. If the plaintiff is a corporation.

The plaintiff, (*name*) _____, is incorporated under the laws of the State of (*name*) _____, is incorporated under the laws of the State of (*name*) _____, and has its principal place of business in the State of (*name*) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual.

The defendant, (*name*) _____, is a citizen of the State of (*name*) _____. Or is a citizen of (*foreign nation*) _____.

b. If the defendant is a corporation.

The defendant, (*name*) _____, is incorporated under the laws of the State of (*name*) _____, and has its principal place of business in the State of (*name*) _____.

Or is incorporated under the laws of (*foreign nation*) _____, and has its principal place of business in (*name*) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

III. THE AMOUNT IN CONTROVERSY

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (*explain*):

IV. STATEMENT OF CLAIM

A. Describe the real property owned by the defendant(s) that is the subject of this complaint. Include the address or location of the property. Attach additional pages if needed.

B. Describe the terms of the contract you entered into with the defendant(s) to purchase the real property at issue. Attach the contract as an exhibit and additional pages if needed.

1. When did you enter into the contract with the defendant(s)?

What is the purchase price you agreed to pay? _____

2. Describe your obligations under the contract. Include any terms regarding required deposits.

3. Describe the defendant(s)' obligations under the contract, including the obligation to convey the real property at issue.

C. Describe when and how you complied with, or attempted to comply with, all of your obligations under the contract, including payment of the purchase price. If you have not complied with all of your obligations under the contract, explain how you are ready and able to comply with those obligations. Attach additional pages if needed.

D. Describe when and how you requested that the defendant(s) convey the real property at issue and when and how the defendant(s) refused to do so. Attach copies of any correspondence with the defendant(s). Attach additional pages if needed.

V. RELIEF

What is your requested form of relief? (*check all that apply*)

☐ Specific performance of the contract. (*Explain why specific performance is the only adequate remedy and why damages would not suffice.*)

☐ Damages sustained as a result of the defendant(s)' refusal to comply with the contract. *(Describe the damages you are requesting.)*

☐ If specific performance cannot be granted, damages in the amount of \$.
(Describe the damages you are requesting.)

☐ Other relief.

VI. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

Signature of Plaintiff _____

Printed Name of Plaintiff _____

Date of signing: _____

Signature of Plaintiff _____

Printed Name of Plaintiff _____

Date of signing: _____

Signature of Plaintiff _____

Printed Name of Plaintiff _____