IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF VIRGINIA

DIVISION

\*

Plaintiff \*

\*

v \* Case No.\_\_\_\_\_\_\_

\*

\*

Defendant \*

COMPLAINT

(Breach of Contract)

COMES NOW the plaintiff, by counsel, and in support of this Complaint states as follows:

1. The plaintiff is a citizen of the state of and resides at the address listed in the caption of this matter.

2. The defendant is a citizen of the state of and resides at the address listed in the caption of this matter.

3. This Court has subject matter jurisdiction over this matter pursuant to 28 USC 1332(a) due to the diversity of citizenship of the parties and because the amount in controversy exceeds $75,000 exclusive of interest and costs.

4. Venue is appropriate in this Federal district under 28 USC 1391 due to the fact that the incident in question occurred in this district.

5. This Court has personal jurisdiction over the defendant pursuant to Virginia Code 8.01-328.1 due to the fact that the defendant .

6. On the day of , 20\_\_ , the parties hereto did enter into the contract wherein the parties agreed [insert text].

COUNT I - BREACH OF CONTRACT

7. Paragraphs 1 through 6 are incorporated herein by reference.

8. The defendant has breached the contract in that .

9. There has been no breach of the contract by the plaintiff.

10. Such breach of contract has caused direct damages to the plaintiff in the amount of $ and indirect damages to the plaintiff in the amount of approximately $ , all of which were within the contemplation of the parties when the contract was entered into.

WHEREFORE, these premises considered, the plaintiff requests judgment against the defendant in the amount of $ , plus an award of costs and interest.

COUNT II - ANTICIPATORY BREACH

11. Paragraphs 1 through 6 and 9 through 10 above are incorporated herein by reference.

12. There has been an anticipatory breach of the contract by the defendant in that

.

WHEREFORE, these premises considered, the plaintiff requests judgment against the defendant in the amount of $ , plus an award of costs and interest.

COUNT III - BREACH OF IMPLIED CONTRACT

13. Paragraphs 1 through 2 above are incorporated herein by reference.

14. The following actions of the plaintiff have conferred upon the defendant a significant benefit under such circumstances that the law implies a promise to pay:

15. The reasonable value of the benefit conferred is $ .

WHEREFORE, these premises considered, the plaintiff requests judgment against the defendant in the amount of $ , plus an award of costs and interest.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Counsel for the Plaintiff

**JURY DEMAND**

**The Plaintiff hereby requests trial by jury as to all issues.**

**Interrogatories and Request for Documents are served along with this pleading.**