| Pro Se 9 (Rev. 12/16) Complaint to Require Performance of a Contract to Convey Real Property |
| --- |
|  |
| United States District Court |
| for the |
|  |
|       District of       |
|  |
|       Division |
|  |
|       | )))))))))))))))  | Case No. |       |
|  | *(to be filled in by the Clerk’s Office)* |
| *Plaintiff(s)**(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)***-v-** |  |
|  |
|  |
|
|       |
|
|
| *Defendant(s)**(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write “see attached” in the space and attach an additional page with the full list of names.)* |
|  |
| **COMPLAINT TO REQUIRE PERFORMANCE** **OF A CONTRACT TO CONVEY REAL PROPERTY** |
| (28 U.S.C. § 1332; Diversity of Citizenship) |
|  |
| **I. The Parties to This Complaint** |
|  **A. The 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 |       |
|  E-mail Address |       |
|  |
|  **B. The 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 |       |
|  E-mail Address *(if known)* |       |
|  |
|  Defendant No. 2 |
|  Name |       |
|  Job or Title *(if known)* |       |
|  Street Address |       |
|  City and County |       |
|  State and Zip Code |       |
|  Telephone Number |       |
|  E-mail Address *(if known)* |       |
|  |
|  Defendant No. 3 |
|  Name |       |
|  Job or Title *(if known)* |       |
|  Street Address |       |
|  City and County |       |
|  State and Zip Code |       |
|  Telephone Number |       |
|  E-mail Address *(if known)* |       |
|  |
|  Defendant No. 4 |
|  Name |       |
|  Job or Title *(if known)* |       |
|  Street Address |       |
|  City and County |       |
|  State and Zip Code |       |
|  Telephone Number |       |
|  E-mail Address *(if known)* |       |
|  |
| **II. Basis for Jurisdiction** Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may  hear cases 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. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of  the same State as any plaintiff. Explain how these jurisdictional requirements have been met. |
|  |
|  **A. The Plaintiff(s)**  1. If the plaintiff is an individual |
|  The plaintiff, *(name)* |       | , is a citizen of the |
|  State of *(name)* |       | . |
|  2. If the plaintiff is a corporation  |
|  The plaintiff, *(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.)* **B. The Defendant(s)** 1. If the defendant is an individual |
|  The defendant, *(name)* |       | , is a citizen of the |
|  State of *(name)*  |        | . Or is a citizen of *(foreign nation)* |
|   |       | . |
|   2 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.)* |
|  **C. 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)*:  |
|  |       |
| **III. 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. |
|  |       |
|   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. 1. When did you enter into the contract with the defendant(s)? |
|  |       |
|   2. What is the purchase price you agreed to pay?  |
|  |       |
|  3. Describe your obligations under the contract. Include any terms regarding required deposits. |
|  |       |
|  4. 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. |
|  |       |
|   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). |
|  |       |
| **IV. 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. |
|  |       |
|  |
| **V. 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. **A. For Parties Without an Attorney** 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  |       |  |
|  **B. For Attorneys** |
|  Date of signing: |       |  |
|  |
|  Signature of Attorney |       |  |
|  Printed Name of Attorney |       |  |
|  Bar Number |       |  |
|  Name of Law Firm |       |  |
|  Street Address |       |  |
|  State and Zip Code |       |  |
|  Telephone Number |       |  |
|  E-mail Address |       |  |
|  |