

Boulder County Court Boulder County Justice Center P.O. Box 4249 1777 Sixth Street Boulder, Colorado 80306-4249	FILED IN THE 20TH JUDICIAL DISTRICT <b>2004 MAY 10 AM 11:27</b> ▲ Court Use Only ▲
Steve Douglas Gartin - Plaintiff v. Thomas Charles Miller - Defendant	Case Number: <u>04C1779</u> Division <u>8</u>
Plaintiff, Pro se: Steve Douglas Gartin 2363 1/2 South Decatur Street Denver, Colorado 80219	CourtRoom: _____
<b>COMPLAINT FOR BREACH OF CONTRACT</b>	

Comes now, Steve Gartin, the Plaintiff, pro se, and complains against the Defendant, Thomas Miller as follows:

1. Steve Douglas Gartin is a natural person and at all times pertinent herein is a resident of the State of Colorado and of Denver County.
2. Thomas Charles Miller is a natural person and at all times pertinent herein is a resident of the State of Colorado and Boulder County.
3. The amount in controversy is under \$15,000 and the Defendant resides in Boulder County, therefore venue is proper in Boulder County Court.
4. Defendant is an attorney B.A.R. registration # 22652.
5. Plaintiff brings this complaint pursuant to the civil tort for Breach of Contract.
6. On or about September 2002, Defendant Miller and Plaintiff entered into a verbal contract between the parties, the essence of which is that Plaintiff would provide computer services, computer education, database management, document management, legal research, office management, website development and legal support services to Defendant in return for 10% of the gross income of the legal practice known as Thomas C. "Doc" Miller, esquire d.b.a. Doc's Law.
7. Defendant Miller committed to codifying this contract in writing.
8. Defendant Miller failed, neglected or refused to commit this verbal contract to writing.
9. Plaintiff substantially performed on the conditions of the contract from September 2002 until March of 2004.
10. Defendant Miller grossed over \$100,000 during this period.

- 11. Defendant Miller remunerated Plaintiff \$2295.00 during this period.
- 12. Defendant Miller has failed, neglected or refused to pay Plaintiff approximately \$7705.00.
- 13. Plaintiff hereby demands payment of \$7705.00 forthwith, or in the alternative demands a trial by jury in order to subpoena Federal and State tax records and to issue interrogatives to determine the facts relating to the exact amount in which Defendant is in default and to establish the elements of willful and wanton, deliberate and fraudulent conduct of the Defendant.
- 14. Damages sought include:
  - 1. Direct Damages
  - 2. Compensatory damages according to proof;
  - 3. Punitive damages;
  - 4. Exemplary damages;
  - 5. Interest as allowed by law;
  - 6. Costs of suit; and
  - 7. Such other and further relief as this court may deem just and proper.

Wherefore, the Plaintiff, prays for judgment against the Defendant as shall be awarded by a jury for the Breach of Contract by the Defendant, and a sum certain judgment of \$7800 should the Defendant default.

Respectfully submitted in good faith,

Monday, May 10, 2004

  
 Steve Douglas Gartin - Pro-Se  
 720-404-1812

VERIFICATION

I, Steve Douglas Gartin, am the Plaintiff in the above-entitled action. I have read the foregoing Summons and Complaint and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters, I believe it to be true. I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Boulder County, Colorado.

  
 Steve Douglas Gartin - Pro-Se  
 720-404-1812