

IN THE COUNTY COURT IN AND FOR SARASOTA COUNTY, FLORIDA

DRAFT

DIVISION: **Civil**

CASER NUMBER:

PLAINTIFF: **Don Stiber**
3343 Woodmont Dr.
Sarasota, FL 34232
(941)351-4975

VS. DEFENDANT: **Paul Herman**
350 Hinman Avenue
Buffalo, NY 14216
(716)874-2288

STATEMENT OF CLAIM

The above named Plaintiff sues the above named Defendant and alleges:

This is an action for damages over \$5,000.00 but less than \$15,000.00 exclusive of costs, interest and attorney's fees.

COMES NOW the Plaintiff, Don Stiber, by and through his undersigned attorney and hereby files suit against Defendant, Paul Herman, and as grounds would state:

1. Defendant, Paul Herman advertised a motor vehicle for sale on E-bay. This vehicle is specifically described as a 1996 Jaguar Sedan 4 door, VIN: SAJPN1143TC7766C5, herein after "Jaguar."
2. Defendant, Paul Herman made certain statements regarding the condition of said Jaguar, ^{among these were} ~~specifically~~ the following:
 - a)

3. ^{These statements amounted to ~~no~~ ^{specific} warranties}
3. Plaintiff, Don Stiber relied on the truth of the above said statements and purchased the Jaguar from Defendant.
4. Upon delivery of the Jaguar in Sarasota, Florida, Mr. Stiber examined the vehicle and found that ^{many of} ~~the~~ Defendant's representations were ~~truly~~ false.

5. Plaintiff has made for demand return of his money from Defendant.
6. Defendant has refused to pay Plaintiff.
7. Plaintiff has met all conditions precedent to filing this action.

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$_____, plus court costs and attorney's fees.

Kurt J. Bomar
Attorney for Plaintiff
1702 Ringling Blvd.
Sarasota, FL 34236
(941)953-7822
(941)365-8900 (fax)