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FILED
LOS ANGELES SUPERIOR COURT

JUN 2 / 2008

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5 Attorneys for Plaintiff
6 G & J GROSS, INC. dba MICKEY FINE
7 PHARMACY, a California Corporation

JOHN A. CLARKE, CLERK
BY V. VEGA, DEPUTY

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES - WEST DISTRICT**

10
11 G & J GROSS, INC. dba MICKEY FINE
12 PHARMACY, a California Corporation

CASE NO. 08003182

[Limited Jurisdiction: CCP § 86]

Plaintiff,

COMPLAINT FOR:

13 vs.

(1) BREACH OF ORAL CONTRACT; AND
(2) COMMON COUNT

14 EDWARD MCMAHON, an individual,
15 PAMELA MCMAHON, an individual, DOES

1-20, inclusive,

Action Filed: June 27, 2008

16 Defendants.
17

18 Plaintiff G & J GROSS, INC. dba MICKEY FINE PHARMACY ("Plaintiff") hereby alleges

19 for its causes of action as follows:

20 **PRELIMINARY ALLEGATIONS**

21 1. Plaintiff G & J GROSS, INC. dba MICKEY FINE PHARMACY is a California
22 corporation with its principal place of business in the City of Beverly Hills and County of Los
23 Angeles. Plaintiff operates a pharmacy located at _____
24 California 90210.

25 2. Plaintiff is informed and believes, and on that basis alleges, that Defendant Edward
26 McMahon ("Mr. McMahon") is an individual and a California citizen. Plaintiff is further informed
27 and believes, and on that basis alleges, that Mr. McMahon resides in Beverly Hills in the County of
28 Los Angeles, which is in the West District of this Court.

1 12. Defendants have breached that agreement by failing and refusing to pay Plaintiff the
2 sums due to Plaintiff thereunder, despite Plaintiff's repeated requests for payment.

3 **SECOND CAUSE OF ACTION**

4 (Common Count)

5 13. Plaintiff hereby incorporates the allegations of Paragraphs 1 through 11 of this
6 complaint as if set forth herein in full.

7 14. Defendants are indebted to Plaintiff for goods delivered to Defendants by Plaintiff
8 (i.e. the prescription medications) for which Defendants promised to pay the purchase price
9 therefore.

10 **WHEREFORE**, Plaintiff G & J GROSS, INC. dba MICKEY FINE PHARMACY
11 respectfully prays for judgment on all of its causes of action as follows:

12 1. For compensatory damages against Defendants in the sum of at least \$8,231.76 or
13 more, according to proof, plus pre-judgment interest thereon.

14 2. Costs of suit and attorney's fees incurred herein by Plaintiff as allowed by law; and

15 3. Such other and further relief as this Court may deem just and proper.

16 Dated: June 27, 2008

17 Respectfully submitted,

18 KATTEN MUCHIN ROSENMAN LLP

19 By: Evan Dwin

20 Evan Dwin

21 Attorneys For Plaintiff
22 G & J GROSS, INC. dba MICKEY FINE
23 PHARMACY, a California Corporation
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