

GUAM RULES OF CIVIL PROCEDURE

FORM No. 1

IN THE SUPERIOR COURT OF GUAM

SUPERIOR COURT CASE NO. \_\_\_\_\_

Plaintiff(s),

vs.

Defendant(s).

**SUMMONS**

**WARNING: This is an official document from the court that affects your rights. Read this carefully. If you do not understand it, contact a lawyer for help.**

*To: (Defendant's name and address)*

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this "Summons."
2. If you do not want a judgment or order taken against you without your input, you must file an "Answer" or a "Response" in writing with the court, and pay the filing fee. If you do not file an "Answer" or "Response" the other party may be given the relief requested in his/her Petition or Complaint. To file your "Answer" or "Response" take, or send, the "Answer" or "Response" to the:
  - Office of the Clerk of the Superior Court of Guam  
120 West O'Brien Drive  
Hagåtña, Guam 96910-5174
  - OR by electronic filing by sending to: [efilecivil@guamcourts.org](mailto:efilecivil@guamcourts.org)
3. Deliver or mail a copy of your "Response" or "Answer" to the other party at the address listed on the top of this Summons.
4. If this "Summons" and the other court papers were served on you by a registered process server or a Marshal, within Guam or other Jurisdictions of the United States, your "Response" or "Answer" must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served, except when a different time is prescribed by order of the court. Service by a registered process server or a Marshal is complete when made.

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5. You can get a copy of the court papers filed in this case from the Plaintiff/Petitioner at the address listed at the top of the preceding page, from the Clerk of the Superior Court's Record's Section.
6. Requests for reasonable accommodation for persons with disabilities must be made to the Judiciary's ADA Coordinator at least ten (10) calendar days in advance of a scheduled proceeding.

ADA Coordinator  
Phone: (671) 475-3375  
E-mail: [ada@guamcourts.org](mailto:ada@guamcourts.org)  
(or as modified by the Clerk of Court)

7. Requests for an interpreter for persons with limited English proficiency must be made to the Language Access Manager by the party needing the interpreter and/or translator or his/her counsel at least ten (10) calendar days in advance of a scheduled court proceeding.

Language Access Manager  
Phone: (671) 475-3299  
E-mail: [dwelle@guamcourts.org](mailto:dwelle@guamcourts.org)  
(or as modified by the Clerk of Court)

JANICE M. CAMACHO-PEREZ  
Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk

Dated: \_\_\_\_\_

**GUAM RULES OF CIVIL PROCEDURE**

GUAM RULES OF CIVIL PROCEDURE

FORM NO. 2A

NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS

To: (Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or agent authorized to receive service)

Why are you getting this?

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above. A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of a summons by signing and returning the enclosed waiver. To avoid these expenses, you must return signed waiver within \_\_\_\_ days (give at least 30 days, or at least 60 days if the defendant is outside of Guam) from the date shown below, which is the date this notice was sent. Two copies of the waiver form enclosed, along with a stamped, self-addressed envelope or other prepaid means for returning one copy. You may keep the other copy.

What happens next?

If you return the signed waiver, I will file it with the Court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you and you will have 60 days from the date this Notice is sent (see date below) to answer the complaint (or 90 days if this notice is sent to you outside Guam).

If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent to you on the date below.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Plaintiff's Attorney or  
Unrepresented Plaintiff

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address

\_\_\_\_\_  
E-mail address

\_\_\_\_\_  
Telephone number

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 2B**

**WAIVER OF SERVICE OF SUMMONS**

TO: (name of plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity that I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence summons or of service.

I also understand that I, or the entity that I represent, must file and serve an answer or motion under Rule 12 within 60 days from \_\_\_\_\_, the date when this request was sent (or 90 days if it was sent outside Guam). If I fail to do so, a default judgment will be entered against me or the entity I represent.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name of Defendant Waiving Service

\_\_\_\_\_  
Address

\_\_\_\_\_  
E-mail Address

\_\_\_\_\_  
Telephone Number

## GUAM RULES OF CIVIL PROCEDURE

To be printed on reverse side of the waiver form or set forth at the foot of the form:

### Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Guam Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in Guam and who fails to return a signed waiver of service requested by a plaintiff located in Guam will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

“Good cause” does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant’s property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to absence of a summons or service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 3.**

**COMPLAINT ON PROMISSORY NOTE**

Plaintiff complains of defendant:

1. Jurisdiction is vested in this court pursuant to Section \_\_\_\_\_.
2. Defendant on or about \_\_\_\_\_, executed and delivered to plaintiff a promissory note in the following words and figures: [here set out the note verbatim]; a copy of which is hereto annexed as Exhibit A, whereby defendant promised to pay to plaintiff [or order] on [date] the sum of \_\_\_\_\_ dollars with interest thereon at the rate of \_\_\_\_ per cent per annum.
3. Defendant owes plaintiff the amount [of said note] and interest.
4. Wherefore plaintiff demands judgment against defendant for the amount of \_\_\_\_\_ dollars, interest and costs.

Signed: \_\_\_\_\_.  
(Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 4.**

**COMPLAINT ON AN ACCOUNT**

1. Allegation of Jurisdiction.
2. Defendant owes plaintiff \_\_\_\_\_ according to the account hereto annexed as Exhibit A.
3. Wherefore plaintiff demands judgment against defendant for the amount of \_\_\_\_\_ dollars, interest and costs.

Signed: \_\_\_\_\_.  
(Attorney for Plaintiff)



**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 5.**

**COMPLAINT FOR GOODS SOLD AND DELIVERED**

1. Allegation of Jurisdiction.
2. Defendant owes plaintiff \$\_\_\_\_\_ for goods sold and delivered by plaintiff to defendant between \_\_\_\_\_ and \_\_\_\_\_ [dates of delivery].
3. Wherefore plaintiff demands judgment against defendant for the amount of \_\_\_\_\_ dollars, interest and costs.

Signed: \_\_\_\_\_.  
(Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 6.**

**COMPLAINT FOR MONEY LENT**

1. Allegation of Jurisdiction.
2. Defendant owes plaintiff \_\_\_\_\_ dollars for money lent by plaintiff to defendant on \_\_\_\_\_ (date) \_\_\_\_\_.
3. Wherefore plaintiff demands judgment against defendant for the amount of \_\_\_\_\_ dollars, interest and costs.

Signed: \_\_\_\_\_.  
(Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 7.**

**COMPLAINT FOR MONEY PAID BY MISTAKE**

1. Allegation of Jurisdiction.
2. Defendant owes plaintiff \_\_\_\_\_ dollars for money paid by plaintiff to defendant by mistake on \_\_\_\_\_ (date)\_\_\_\_\_, under the following circumstances: (here state circumstances with particularity--see Rule 9(b)).

Signed: \_\_\_\_\_.  
(Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 8**

**COMPLAINT FOR MONEY HAD AND RECEIVED**

1. Allegation of Jurisdiction.
2. Defendant owes plaintiff \_\_\_\_\_ dollars for money had and received from one G.H. on \_\_\_(date)\_\_\_, to be paid by defendant to plaintiff.
3. Wherefore plaintiff demands judgment against defendant for the amount of \_\_\_\_\_ dollars, interest and costs.

Signed: \_\_\_\_\_.  
(Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 9**

**COMPLAINT FOR NEGLIGENCE**

1. Allegation of Jurisdiction.
2. On \_\_\_ (date) \_\_\_, in a public highway called \_\_\_\_\_, in \_\_\_\_\_, Guam, defendant negligently drove a motor vehicle against plaintiff who was then crossing the highway.
3. As a result plaintiff was thrown down and had his leg broken and was otherwise injured, was prevented from transacting his business, suffered great pain of body and mind, and incurred expenses for medical attention and hospitalization in the sum of \_\_\_\_\_ dollars.
4. Wherefore plaintiff demands judgment against defendant for the amount of \_\_\_\_\_ dollars and costs.

Signed: \_\_\_\_\_.  
(Attorney for Plaintiff)

GUAM RULES OF CIVIL PROCEDURE

FORM NO. 10

COMPLAINT FOR NEGLIGENCE WHERE PLAINTIFF IS UNABLE TO DETERMINE DEFINITELY WHETHER THE PERSON RESPONSIBLE IS C.D. OR E.F. OR WHETHER BOTH ARE RESPONSIBLE AND WHERE HIS EVIDENCE MAY JUSTIFY A FINDING OF WILLFULNESS OR OF RECKLESSNESS OR OF NEGLIGENCE.

A.B.,	)	
Plaintiff	)	
	)	
v.	)	COMPLAINT
	)	
C.D. and E.F.,	)	
	)	
Defendants,	)	

1. Allegation of Jurisdiction.
2. On \_\_\_(date)\_\_\_, in a public highway called \_\_\_\_\_, in \_\_\_\_\_, Guam, defendant C.D. or defendant E.F., or both defendants C.D. and E.F., wilfully or recklessly or negligently drove or caused to be driven a motor vehicle against plaintiff who was then crossing the highway.
3. As a result plaintiff was thrown down and had his leg broken and was otherwise injured, was prevented from transacting his business, suffered great pain of body and mind, and incurred expenses for medical attention and hospitalization in the sum of \_\_\_\_\_ dollars.
4. Wherefore plaintiff demands judgment against C.D. or against E.F. or against both for the amount of \_\_\_\_\_ dollars and costs.

Signed: \_\_\_\_\_  
 (Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 11**

**COMPLAINT FOR CONVERSION**

1. Allegation of Jurisdiction.
2. On or about \_\_\_\_ (date) \_\_\_\_, defendant converted to his own use \_\_\_\_ bonds of the \_\_\_\_\_ company (here insert brief identification as by number and issue [or other appropriate description of converted property]) of the value of \_\_\_\_\_ dollars, the property of the plaintiff.
3. Wherefore plaintiff demands judgment against defendant for the amount of \_\_\_\_\_ dollars, interest and costs.

Signed: \_\_\_\_\_.  
(Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 12**

**COMPLAINT FOR SPECIFIC PERFORMANCE  
OF CONTRACT TO CONVEY LAND**

1. Allegation of Jurisdiction.
2. On or about \_\_\_ (date) \_\_\_, plaintiff and defendant entered in to an agreement in writing, a copy of which is hereto annexed as Exhibit A.
3. In accord with the provisions of said agreement plaintiff tendered to defendant the purchase price and requested a conveyance of the land, but the defendant refused to accept the tender and refused to make the conveyance.
4. Plaintiff now offers to pay the purchase price.

Wherefore, plaintiff demands (1) that defendant be required specifically to perform said agreement, (2) damages in the sum of \_\_\_\_\_ dollars, and (3) that if specific performance is not granted plaintiff have judgment against the defendant in the sum of \_\_\_\_\_ dollars.

Signed: \_\_\_\_\_.  
(Attorney for Plaintiff)



GUAM RULES OF CIVIL PROCEDURE

FORM NO. 13

COMPLAINT ON CLAIM FOR DEBT AND TO SET ASIDE FRAUDULENT CONVEYANCE UNDER RULE 18(B)

A.B.	)	
	)	
Plaintiff,	)	
	)	
vs.	)	COMPLAINT
	)	
C.D. and E.F.,	)	
	)	
Defendants,	)	

1. Allegation of Jurisdiction.
2. Defendant C.C. On or about \_\_\_(date)\_\_\_ executed and delivered to plaintiff a promissory note in the following words and figures: (here set out the note verbatim); (a copy of which is hereto annexed as Exhibit A) whereby defendant C.D. promised to pay to plaintiff (or order) on \_\_\_(date)\_\_\_ the sum of \_\_\_\_\_ dollars with interest thereon at the rate of \_\_\_ percent per annum.
3. Defendant C.D. owes to plaintiff the amount of said note and interest.
4. Defendant C.D., On or about \_\_\_(date)\_\_\_, conveyed all his property, real and personal, (or specify and describe) to defendant E.F. for the purpose of defrauding plaintiff and hindering and delaying the collection of the indebtedness evidenced by the note above referred to.

WHEREFORE, plaintiff demands: (1) That plaintiff have judgment against defendant, C.D., for \_\_\_\_\_ dollars and interest; (2) that the aforesaid conveyance to defendant E.F. be declared void and the judgment herein be declared a lien on said property; and (3) that plaintiff have judgment against the defendants for costs.

Signed: \_\_\_\_\_  
(Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NOS. 14 -- 18,**

Inclusive -- VACANT

GUAM RULES OF CIVIL PROCEDURE

FORM NO. 19

MOTION TO DISMISS, PRESENTING DEFENSES OF FAILURE TO STATE A CLAIM, OR LACK OF SERVICE OF PROCESS, AND LACK OF JURISDICTION UNDER RULE 12(B)

The defendant moves the court as follows:

- 1. To dismiss the action because the complaint fails to state a claim against defendant upon which relief can be granted.
2. To dismiss the action or in lieu thereof to quash the return of service of summons on the grounds (a) that the defendant has not been properly served with process in this action, as appearing more clearly in the affidavits of M.N. and X.Y. hereto annexed as Exhibit A and Exhibit B, respectively.
3. To dismiss the action on the ground that the court lacks jurisdiction because \_\_\_\_\_.

Signed: \_\_\_\_\_ (Attorney for Plaintiff)

NOTICE OF MOTION

To: \_\_\_\_\_ Attorney for \_\_\_\_\_

Please take notice that the undersigned will bring the above motion on for hearing before the Court at Room \_\_\_\_\_, Guam Courthouse, Agana, Guam, on the \_\_\_(date)\_\_\_, at \_\_\_\_\_o'clock in the afternoon of that day or as soon thereafter as counsel can be heard.

Signed: \_\_\_\_\_ (Attorney for \_\_\_\_\_)

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**FORM NO. 20**

**ANSWER PRESENTING DEFENSES UNDER RULE 12(b)**

**First Defense**

The complaint fails to state a claim against defendant upon which relief can be granted.

**Second Defense**

If defendant is indebted to plaintiffs for the goods mentioned in the complaint, he is indebted to them jointly with G.H. G.H. is alive and a resident of Guam, is subject to the jurisdiction of this court, can be made a party without depriving this court of jurisdiction of the present parties, and has not been made a party.

**Third Defense**

Defendant admits the allegations contained in paragraphs 1 and 4 of the complaint; alleges that he is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the complaint; and denies each and every other allegation contained in the complaint.

**Fourth Defense**

The right of action set forth in the complaint did not accrue within \_\_\_\_\_ years next before the commencement of this action.

**Counterclaim**

(Here set forth any claim as a counterclaim in the manner in which a claim is pleaded in a complaint. No statement of the grounds on which the court's jurisdiction depends need be made unless the counterclaim requires independent grounds of jurisdiction.)

**[Cross-claim Against Defendant M.N.**

(Here set forth the claim constituting a cross-claim against defendant M.N. in the manner in which a claim is pleaded in a complaint. The statement of grounds upon which the court's jurisdiction depends need not be made unless the cross-claim requires independent grounds of jurisdiction.)]

**NOTE:** Matter in brackets [--] included in Federal Form No. 20, but omitted in Guam Form No. 20. Guam Rules of Civil Procedure contain the same rules regarding cross-claims as do the federal rules. Therefore, the added example is included for the reader's information.

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 21**

**ANSWER TO COMPLAINT SET FORTH IN FORM 8, WITH  
COUNTERCLAIM FOR INTERPLEADER**

**Defense**

Defendant admits the allegations contained in paragraph 1 of the complaint, and denies the allegations stated in paragraph 2 to the extent set forth in the counterclaim herein.

**Counterclaim for Interpleader**

1. Defendant received the sum of \_\_\_\_\_ dollars as a deposit from E.F.
2. Plaintiff has demanded the payment of such deposit to him by virtue of an assignment of it which he claims to have received from E.F.
3. E.F. has notified the defendant that he claims such deposit, that the purported assignment is not valid, and that he holds the defendant responsible for the deposit.

WHEREFORE defendant demands:

1. That the court order E.F. to be made a party defendant to respond to the complaint and to this counterclaim.
2. That the court order the plaintiff and E.F. to interplead their respective claims.
3. That the court adjudge whether the plaintiff or E.F. is entitled to the sum of money.
4. That the court discharge defendant from all liability in the premises except to the person it shall adjudge entitled to the sum of money.
5. That the court award to the defendant its costs and attorney's fees.

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 22**

**MOTION TO BRING IN THIRD-PARTY DEFENDANT**

See Forms 22-A and 22-B.

GUAM RULES OF CIVIL PROCEDURE

FORM 22-A

SUMMONS AND COMPLAINT AGAINST THIRD-PARTY DEFENDANT

A.B.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
C.D.,	)	SUMMONS
Defendant &	)	
Third-party Plaintiff,	)	
	)	
vs.	)	
	)	
E.F.,	)	
	)	
Third-Party Defendant	)	

TO THE ABOVE-NAMED THIRD-PARTY DEFENDANT:

You are hereby summoned and required to serve upon \_\_\_\_\_, plaintiff's attorney whose address is \_\_\_\_\_ and upon \_\_\_\_\_, who is attorney for C.D., defendant and third-party plaintiff, and whose address is \_\_\_\_\_ an answer to the third-party complaint which is herewith served upon you and an answer to the complaint of the plaintiff, a copy of which is herewith served upon you, within 20 days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint.

\_\_\_\_\_  
Clerk of the Superior Court  
Date: \_\_\_\_\_

**GUAM RULES OF CIVIL PROCEDURE**

**COMPLAINT**

1. Plaintiff A.B. has filed against defendant C.D. a complaint, a copy of which is hereto attached as Exhibit C2.

2. (Here state the grounds upon which C.D. is entitled to recover from E.F., all or part of what A.B. may recover from C.D. .. The statement should be framed as an original complaint.)

WHEREFORE, C.D. demands judgment against third-party defendant E.F. for all (or part of the) sums which may be adjudges against defendant C.D. in favor of plaintiff A.B..

Signed: \_\_\_\_\_  
Attorney for C.D., Third-Party Plaintiff



**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 22-B**

**MOTION TO BRING IN THIRD-PARTY DEFENDANT**

Defendant moves for leave, as third-party plaintiff, to cause to be served upon E.F. a summons and third-party complaint, copies of which are attached hereto as Exhibit X.

Signed: \_\_\_\_\_  
Attorney for C.D., Defendant

**NOTICE OF MOTION**

(Contents the same as in Form 19. The notice should be addressed to all parties to the action.)

**EXHIBIT X**

(Contents the same as in Form 22-A)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 23**

**MOTION TO INTERVENE AS DEFENDANT UNDER RULE 24**

A.B.,	)	
Plaintiff,	)	
	)	
vs.	)	
	)	MOTION TO INTERVENE
C.D.,	)	AS A DEFENDANT
Defendant,	)	
	)	
E.F.,	)	
	)	
Applicant for intervention.)	)	

E.F. moves for leave to intervene as a defendant in this action, in order to assert the defenses set forth in his proposed answer, of which a copy is hereto attached, on the ground that he is \_\_\_\_\_ (here set out the grounds upon which the motion is based, with particularity.)

Signed: \_\_\_\_\_  
Attorney for E.F. Applicant for Intervention

**NOTICE OF MOTION**

(Contents the same as in Form 19.)

**INTERVENOR'S ANSWER**

(Contents the same as in Forms 20 and 21.)

GUAM RULES OF CIVIL PROCEDURE

FORM NO. 24

REQUEST FOR PRODUCTION OF DOCUMENTS ETC., UNDER RULE 34

Plaintiff A. B. requests defendant C. D. to respond within \_\_\_\_\_ days to the following requests:

1. That defendant produce and permit plaintiff to inspect and to copy each of the following documents:

(Here list the documents either individually or by category and describe each of them.)

(Here state the time, place, and manner of making the inspection and performance of any related acts.)

2. That defendant produce and permit plaintiff to inspect and to copy, test, or sample each of the following objects:

(Here list the objects either individually or by category and describe each of them.)

(Here state the time, place, and manner of making the inspection and performance of any related acts.)

3. That defendant permit plaintiff to enter (here describe property to be entered) and to inspect and to photograph, test or sample (here describe the portion of the real property and the objects to be inspected).

(Here state the time, place, and manner of making the inspection and performance of any related acts.)

Signed: \_\_\_\_\_  
(Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 25**

**REQUEST FOR ADMISSION UNDER RULE 36**

Plaintiff A.B. requests defendant C.D. within \_\_\_\_\_ days after service of this request to make the following admissions for the purpose of this action only and subject to all pertinent objections to admissibility which may be interposed at the trial:

1. That each of the following documents, exhibited with this request, is genuine.

(Here list the documents and describe each document.)

2. That each of the following statements is true.

(Here list the statements.)

Signed: \_\_\_\_\_.

(Attorney for Plaintiff)

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 26**

**ALLEGATION OF REASON FOR OMITTING PARTY**

When it is necessary under Rule 19(c) for the pleader to set forth in his pleading the names of persons who ought to be made parties, but who are not so made, there should be an allegation such as the one set out below:

John Doe named in this complaint is not made a party to this action (because he is not subject to the jurisdiction of this court); (because he cannot be made a party to this action without depriving this court of jurisdiction).

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 27 - ABROGATED**

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 28**

**NOTICE: CONDEMNATION**

Government of Guam,	)	
	)	
Plaintiff	)	
	)	
v.	)	NOTICE
	)	
1,000 Acres of Land in [here insert a	)	
general location as "Village of _____"],	)	
John Doe et al., and Unknown Owners,	)	
	)	
Defendants	)	

To (here insert the names of the defendants to whom the notice is directed):

You are hereby notified that a complaint in condemnation has heretofore been filed in the office of the clerk of the Superior Court of Guam for the taking (here state the interest to be acquired, as "an estate in fee simple") for use (here state briefly the use, "as a site for a post-office building") of the following described property in which you have or claim an interest.

(Here insert brief description of the property in which the defendants, to whom the notice is directed, have or claim an interest.)

The authority for the taking is (here state briefly, as "the Act of \_\_\_\_\_, \_\_\_\_\_ Stat. \_\_\_\_\_, U.S.C., Title \_\_\_\_\_, § \_\_\_\_\_".)

You are further notified that if you desire to present any objection or defense to the taking of your property you are required to serve your answer on the plaintiff's attorney at the address herein designated within twenty days after \_\_\_\_\_. Your answer shall identify the property in which you claim to have an interest, state the nature and extent of the interest you claim, and state all of your objections and defenses to the taking of your property. All defenses and objections not so presented are waived. And in case of your failure so to answer the complaint, judgment of condemnation of that part of the above-described property in which you have or claim an interest will be rendered.

But without answering, you may serve on the plaintiff's attorney a notice of appearance designating the property in which you claim to be interested. Thereafter you will receive notice of all proceedings affecting it. At the trial of the issue of just compensation, whether or not you have previously appeared or answered, you may present evidence as to the amount of the compensation to be paid for your property, and you may share in the distribution of the award.

Signed: \_\_\_\_\_  
(Attorney for Plaintiff)

Dated \_\_\_\_\_

GUAM RULES OF CIVIL PROCEDURE

FORM NO. 29

COMPLAINT: CONDEMNATION

Government of Guam, )  
 )  
 Plaintiff )  
 )  
 v. ) COMPLAINT  
 )  
 1,000 Acres of Land in [here insert a )  
 general location as "Village of \_\_\_\_\_"], )  
 John Doe et al., and Unknown Owners, )  
 )  
 Defendants )

1. This is an action of a civil nature brought by the Government of Guam for the taking of property under the power of eminent domain and for the ascertainment and award of just compensation to the owners and parties in interest.

2. The authority for the taking is (here state briefly, as "the Act of \_\_\_\_\_, \_\_\_\_\_ Stat. \_\_\_\_\_, U.S.C., Title \_\_\_\_\_, § \_\_\_\_").

3. The use for which the property is to be taken is (here state briefly the use, "as a site for a post-office building").

4. The interest to be acquired in the property is (here state the interest as "an estate in fee simple").

5. The property so to be taken is (here set forth a description of the property sufficient for its identification) or (described in Exhibit A hereto attached and made a part hereof).

6. The persons known to the plaintiff to have or claim an interest in the property are:  
(Here set forth the names of such persons and the interests claimed.)

7. In addition to the persons named, there are or may be others who have or may claim some interest in the property to be taken, whose names are unknown to the plaintiff and on diligent inquiry have not been ascertained. They are made parties to the action under the designation "Unknown Owners."

Wherefore the plaintiff demands judgment that the property be condemned and that just compensation for the taking be ascertained and awarded and for such other relief as may be lawful and proper.

Signed: \_\_\_\_\_  
(Attorney for Plaintiff)

Dated \_\_\_\_\_



**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 30**

**SUGGESTION OF DEATH UPON THE RECORD UNDER RULE 25(a)(1)**

A.B. (describe as a party, or as executor, administrator, or other representative or successor of C.D., the deceased party) suggests upon the record, pursuant to Rule 25(a)(1), the death of C.D. (describe as a party) during the pendency of this action.

GUAM RULES OF CIVIL PROCEDURE

FORM NO. 31

JUDGMENT ON JURY VERDICT

A.B.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	JUDGMENT
	)	
C.D.,	)	
	)	
Defendant	)	
	)	

This action came on for trial before the Court and a Jury, Honorable John Doe, Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict;

It Is Ordered and Adjudged

(That the plaintiff A.B. recover of the defendant C.D. the sum of \_\_\_\_\_ dollars with interest thereon at the rate of 6% percent per annum as provided by law, and his costs of action.)

(That the plaintiff take nothing, that the action be dismissed on the merits, and that the defendant C. D. recover of the plaintiff A. B. his costs of action.)

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Superior Court

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NO. 32**

**JUDGMENT ON DECISION BY THE COURT**

A.B.,	)		
	)		
	)	Plaintiff,	
	)		
vs.	)		JUDGMENT
	)		
C.D.,	)		
	)		
	)	Defendant	
	)		

This action came for (trial) (hearing) before the Court, Honorable John Doe, Judge, presiding, and the issues having been duly (tried) (heard) and a decision having been duly rendered;

It is Ordered and Adjudged

(That the plaintiff A.B. recover of the defendant C.D. the sum of \_\_\_\_\_ dollars, with interest thereon at the rate of 6% per annum as provided by law, and his costs of action.)

(That the plaintiff take nothing, that the action is dismissed on the merits, and that the defendant, C.D., recover of the plaintiff, A.B., his costs of action.)

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Superior Court

**GUAM RULES OF CIVIL PROCEDURE**

**FORM NOS. 33 -34**

Inclusive, VACANT

GUAM RULES OF CIVIL PROCEDURE

FORM NO. 35

JUDICIARY OF GUAM  
Guam Judicial Center  
120 West O'Brien Drive  
Hagåtña, Guam 96910

APPLICATION AND CERTIFICATE FOR WAIVER OF FEES

TO: Clerk of Court

FROM: \_\_\_\_\_  
(Name of Government Employee)

SUBJECT: **Waiver of Fees Pursuant to Rule 90, of the Rules of Civil Procedure for the Superior Court of Guam**

On behalf of \_\_\_\_\_,  
(Name of Agency) (Division/Unit/Section)

I hereby request the following from the Superior Court of Guam:

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

Furthermore, I make this request for **OFFICIAL USE ONLY**.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
**Certifying Officer**  
**(Print Name and Sign)**

/ / **APPROVED** / / **DISAPPROVED**

\_\_\_\_\_  
**CLERK OF COURT**