

# YOU'VE BEEN SUED ... NOW WHAT?

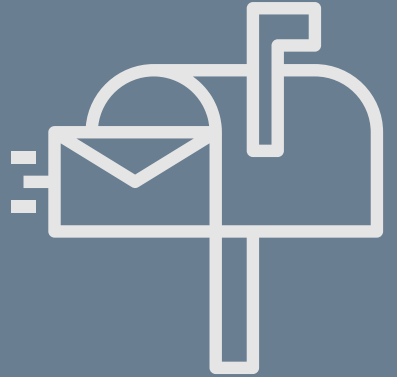
The first steps of a lawsuit as a defendant.

## 1 DON'T DUCK SERVICE

You should not ignore the lawsuit and hope it goes away – this is a quick way to have a court enter a default judgment against you.

Be aware of when you are served.

The clock starts as soon as you are served with the complaint. In California state court, you have 30 days to file a written response with the court, called an answer, and serve it on the plaintiff. Cal. Civ. Code § 412.20(a)(3). If you are in federal court, you have only 21 days to file a response. F.R.C.P. 12(a)(1)(A)(i).



## 2 TAKE A DEEP BREATH

Once you have been served, your initial reaction will be panic. What will happen to me? What will happen to my business?

You will also experience anger. The complaint will make you mad.



## 3 HIRE A LAWYER

If you have legal claims against the other party, you may file a cross-complaint, detailing your legal claims, the factual basis for those claims, and the relief requested.

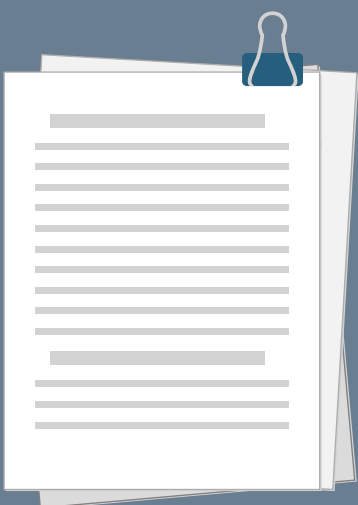
Instead of an answer, you can also challenge the complaint with a demurrer, motion to strike, or other motions.



## 4 GATHER DOCUMENTS

Assemble documents, emails and records related to the case for your lawyer. Organizing this information will save time and reduce legal costs.

DO NOT delete or discard any information.



## 5 GO QUIET

Do not talk publicly about your lawsuit.  
Do not post on social media (even to mention you've been sued).



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