

**WILLOUGHBY MUNICIPAL COURT  
4000 ERIE STREET, WILLOUGHBY, OHIO 44094  
440-953-4168**

**SMALL CLAIM COUNTERCLAIM**

**CASE NO.** \_\_\_\_\_

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

VS.

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

Phone No. (     ) \_\_\_\_\_ Plaintiff(s)

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

**STATEMENT OF COUNTERCLAIM and AFFIDAVIT**

Phone No. (     ) \_\_\_\_\_ Defendant(s)

- ACCOUNT:    Exhibits attached and made a part hereof  
 OTHER:       WAGES: \_\_\_\_\_

Defendant prays for judgment against plaintiff in the sum of \$ \_\_\_\_\_, plus interest from the \_\_\_\_\_ day of \_\_\_\_\_, at the rate of \_\_\_\_\_ % and court costs.

TO THE CLERK: Please take notice that a counterclaim is hereby filed against the above plaintiff(s) and a request that they be summoned to appear in Court to answer same.

STATE OF OHIO, COUNTY OF LAKE) ss.

Being duly sworn on oath \_\_\_\_\_ (Defendant) states that:

Check one:       He is or represents       She is or represents       They are or represent      the Defendant

in the above entitled cause, that the said cause is for the payment of money, that the nature of defendant's demand is as stated, and that there is due to defendant from the plaintiff the amount stated above; plaintiff is not now in the military or naval service of the United States.

If service of process by certified mail is returned by the postal authority with an endorsement of "REFUSED" or "UNCLAIMED" the undersigned waives notice by the clerk and requests ordinary mail service in accordance with Civil R. 4.6 (C) or 4.6(D).

\_\_\_\_\_  
**Signature of Defendant #1**

\_\_\_\_\_  
**Signature of Defendant #2**

Subscribed and sworn to before me this \_\_\_\_\_ date of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Clerk, Deputy Clerk, Notary Public

**NOTICE AND SUMMONS IN ACTION FOR MONEY ONLY**

**TO PLAINTIFF(s):** \_\_\_\_\_

Defendant asks judgment in this court against you for the sum of \$ \_\_\_\_\_ plus \_\_\_\_\_ % interest from \_\_\_\_\_, \_\_\_\_\_ and court costs, upon the defendant's counterclaim set forth above.

FILL IN ALL INFORMATION ABOVE THIS LINE. THE CLERK WILL FILL IN THE COURT HEARING DATE

**THE COURT WILL HOLD TRIAL ON :** \_\_\_\_\_ at \_\_\_\_\_ AM/PM.

In the WILLOUGHBY MUNICIPAL COURT, SMALL CLAIM DIVISION, located at 4000 ERIE STREET., WILLOUGHBY, OH.

**NOTE: PARTIES ARE PUT ON NOTICE THAT THE ORIGINAL DATE OF THE HEARING IN THIS MATTER MAY HAVE CHANGED DUE TO THE FILING OF THIS COUNTERCLAIM OR FOR OTHER REASONS. PLEASE CHECK YOUR COURT DATE FOR CHANGES. IF YOU NEED VERIFICATION OF YOUR COURT DATE PLEASE PHONE THE SMALL CLAIM DIVISION AT THE NUMBER AT THE TOP OF THIS FORM.**

If you do not appear at the trial a judgment may be entered against you by default and your earnings may be subject to garnishment or your property may be attached to satisfy said judgment. If your defense is supported by witnesses, account books, receipts, or other documents, you must produce them at the time of this trial. Subpoenas for witnesses if requested will be issued by the clerk.

Clerk - Deputy Clerk \_\_\_\_\_