

IN THE CIRCUIT COURT OF COUNTY, MISSISSIPPI

, PLAINTIFF/PETITIONER

VS.

NO.

REPUBLICAN/DEMOCRATIC MUNICIPAL EXECUTIVE COMMITTEE FOR THE CITY OF , MISSISSIPPI, , CHAIRPERSON, DEFENDANT/RESPONDENT

INTERVENERS ANSWER AFFIRMATIVE DEFENSES

A) That the above styled and numbered Petition for Judicial Review of Primary Election is improperly filed in that the cause should be versus .

B) Petitioner fails to state a claim upon which relief can be granted.

C) is the duly qualified and certified City Alderman for Alderman District of the City of , Mississippi having won the election to that office by receiving the greatest number of votes from the electorate.

D) The voters alleged by to be ineligible are, in fact and at law, eligible; and in the alternative, if the Court determines that any four of the six or so voters alleged to be ineligible are, in fact and at law, eligible then, in that event, the outcome would not change and remains the duly qualified and elected Alderman of District of the City of , Mississippi.

6.

Respondent, City of , is without sufficient information to respond to Paragraph 6 of the Petition and therefore denies the same and required proof thereof.

7.

Respondent, City of , is without sufficient information to respond to Paragraph 7 of the Petition and therefore denies the same and required proof thereof.

8.

Respondent, Intervener, City of \_\_\_\_\_, denies the allegations contained in Paragraph 8 and subsections a,b,c,d,e and f.

9.

Respondent, City of \_\_\_\_\_, admits the allegations in Paragraph 9.

10.

Respondent, City of \_\_\_\_\_, denies the allegations in Paragraph 10.

11.

Respondent, City of \_\_\_\_\_, admits that two attorneys have signed affidavits with regard to this matter but is not possessed with sufficient facts to know whether or not and to what extent they have investigated this matter and therefore must deny the same as to content.

12.

Respondent, City of \_\_\_\_\_, denies the allegations contained in Paragraph 12. of the Petition.

WHEREFORE, PREMISES CONSIDERED, Respondent, City of \_\_\_\_\_, requests that this action be dismissed with prejudice and that all costs of Court and attorney fees for the defense of this action be assessed to the Plaintiff and that no relief be granted to the Plaintiff. That the decision of the \_\_\_\_\_ Municipal Republican Election Committee be affirmed and upheld; that judgment be entered confirming and re-establishing that the victory was duly held and the finding of the City of \_\_\_\_\_ Executive Committee should be confirmed for District \_\_\_\_\_ of the City of \_\_\_\_\_, Mississippi and if mistaken in the relief herein sought, then Respondent prays for such other further and general relief as in equity or law that the City of \_\_\_\_\_ may be entitled to receive; all of which shall be at the cost of Petitioner, with attorney fees for Respondent, City of \_\_\_\_\_.

RESPECTFULLY SUBMITTED,  
CITY OF

\_\_\_\_\_  
BY:

CERTIFICATE

I, \_\_\_\_\_, do hereby certify that I have on this day mailed, postage prepaid, a true and correct copy of the above and foregoing to the following:

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

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ATTORNEYS AT LAW