

IN THE CIRCUIT COURT OF COUNTY, MISSISSIPPI

PLAINTIFF

VS.

NO.

DEFENDANT

ANSWER AND AFFIRMATIVE DEFENSES

COMES NOW , by and through its attorney of record, and in answer to the Complaint filed herein against it would state as follows:

ANSWER

1. The allegations found in paragraph number 1 are admitted on information and belief.
2. The allegations found in paragraph number 2 are admitted.
3. Other than admitting that at various times from , through , plaintiff sought and received treatment at in , Mississippi and that at various of these visits he/she was seen by Dr. , an employee of , and that is responsible for Dr. 's actions during the treatment of the plaintiff, the allegations found in paragraph number 3 are denied.
4. The allegations found in paragraph number 4 are denied.
5. The defendant is without knowledge of the allegations found in paragraph number 5 and accordingly denies them.
6. The allegations found in paragraph number 6 are denied.
7. The allegations found in paragraph number 7 are denied, as are the allegations found in the unnumbered paragraph following paragraph number 7.

AFFIRMATIVE DEFENSES

The defendant, , sets forth the following affirmative defenses:

8. Defendant raises the applicable statute of limitations against any allegations of negligence occurring more than two years prior to the filing of the lawsuit.
9. To the extent available, defendant raises the doctrine of sovereign immunity and the Sovereign Immunity Act.

10. Plaintiff's own actions constituted negligence which was the sole cause of any of his/her alleged injuries.

WHEREFORE, ABOVE PREMISES CONSIDERED, defendant, \_\_\_\_\_, respectfully requests this Court to dismiss the Complaint filed herein against it, with all costs taxed to the plaintiff.

Respectfully submitted,

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Attorney for

Of Counsel:

Telephone:  
MSB #  
Attorney for

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, hereby certify that I have this day mailed a true copy of the foregoing to:

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

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