

**IN THE CIRCUIT COURT OF                      COUNTY, MISSISSIPPI**

**AND                      PLAINTIFFS**

**VS.**

**NO.**

**DEFENDANTS**

**ANSWER AND DEFENSES**

COMBS NOW                      , one of the defendants, by and through its attorneys of record, and files this its Answer and Defenses to the complaint filed against it, to-wit:

**FIRST DEFENSE**

The complaint filed herein fails to state a claim upon which relief can be granted, and this defendant moves the court to dismiss the same pursuant to Rule 12(                      )(6) of the Mississippi Rules of Civil Procedure.

**SECOND DEFENSE**

Without waiving the right to first be heard in the foregoing defense, defendant                      , will respond to the plaintiffs' Complaint, paragraph by paragraph, as follows:

**I.**

This defendant is without sufficient knowledge and information to form a belief as to the truth of the allegations of paragraph I of the Complaint and, therefore, the same is denied.

**II.**

1.        This defendant is without sufficient knowledge and information to form a belief as to the truth of the allegations of paragraph II, subpart 1 of the Complaint and, therefore, the same is denied.

2.        This defendant is without sufficient knowledge and information to form a belief as to the truth of the allegations of paragraph II, subpart 2 of the Complaint and, therefore, the same is denied.

3.        This defendant is without sufficient knowledge and information to form a belief as to the truth of the allegations of paragraph II, subpart 3 of the Complaint and, therefore, the same is denied.

4.        This defendant is without sufficient knowledge and information to form a belief as to the truth of the allegations of paragraph II, subpart 4 of the Complaint and, therefore, the same is denied.

5. This defendant is without sufficient knowledge and information to form a belief as to the truth of the allegations of paragraph II, subpart 5 of the Complaint and, therefore, the same is denied.

6. This defendant is without sufficient knowledge and information to form a belief as to the truth of the allegations of paragraph II, subpart 6 of the Complaint and, therefore, the same is denied.

7. This defendant admits the allegations of paragraph Ii, subpart 7 of the Complaint.

8. This defendant is without sufficient knowledge and information to form a belief as to the truth of the allegations of paragraph II, subpart 8 of the Complaint and, therefore, the same is denied.

### III.

This defendant denies the allegations of paragraph III and all subparts of the Complaint.

### IV.

This defendant denies the allegations in paragraph IV of the Complaint.

### V.

This defendant denies the allegations in paragraph V and all subparts of the Complaint.

### VI.

This defendant denies the allegations of paragraph VI of the Complaint.

As to the allegations contained in the last unnumbered paragraph of the Complaint, beginning with the word "WHEREFORE", this defendant denies that the plaintiffs are entitled to judgment in the amount prayed for or in any amount whatsoever and demands to be dismissed here from with prejudice.

## THIRD DEFENSE

Any and all other allegations contained in the Complaint not heretofore specifically answered are hereby denied.

AND NOW, having responded to the allegations of the plaintiffs' Complaint, paragraph by paragraph, and having denied all liability in the premises, this defendant would show unto the Court the following special and affirmative matters:

### FIRST AFFIRMATIVE DEFENSE

The plaintiffs' claim is barred by the applicable statute of limitations.

WHEREFORE, PREMISES CONSIDERED, this defendant demands to be dismissed here from with prejudice with all costs being incurred by the plaintiff.

Respectfully submitted,

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Attorney for

Of Counsel:

Telephone:  
MSB #  
Attorney for

CERTIFICATE OF SERVICE

I, , of counsel for , do hereby certify that I have this day mailed a true and correct copy of the above and foregoing ANSWER AND DEFENSES to:

This the        day of        ,        .

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