

IN THE CIRCUIT COURT OF COUNTY, MISSISSIPPI

PLAINTIFFS

V.

CIVIL ACTION NO.

DEFENDANTS

ANSWER AND DEFENSES

Comes now one of the defendants herein, , through his/her attorneys of record, and responds as follows to the Complaint filed herein against him/her:

FIRST DEFENSE AND MOTION TO STRIKE

This defendant moves this honorable court pursuant to Miss. R. Civ. Pro. 12 to strike the words and its liability carrier from paragraphs 13 and 14 of the complaint as immaterial and impertinent matter improperly inserting mention of liability insurance in this action.

SECOND DEFENSE

Responding to the Complaint paragraph by paragraph, this defendant would show as follows:

1.

Admitted on information and belief.

2.

Admitted on information and belief.

3.

The allegations of paragraph 3 are not directed to this defendant and therefore require no answer of him/her; if deemed applicable to his detriment, they are denied.

4.

Admitted.

5.

Admitted.

6.

The allegations of paragraph 6 are not directed to this defendant and therefore require no answer of him/her; if deemed applicable to his/her detriment, they are denied.

7.

This defendant admits that on the date and approximate time recited, the vehicle operated by _____ was in the vicinity of the intersection of _____ and _____; this defendant does not have information or knowledge sufficient to form a belief regarding the remainder of the allegations of paragraph 7.

8.

This defendant is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 8 of the complaint as stated and therefore is deemed to deny same, except to admit that a traffic control signal was at the accident intersection.

9.

The averments of paragraph 9 of the complaint are denied as stated, except to admit that a collision did occur between the vehicle driven by _____ and the rear of plaintiff's vehicle.

10.

The averments of paragraph 10 of the complaint are admitted, except to deny serious and permanent injuries to plaintiff _____.

11.

This defendant is without knowledge or information sufficient to form a belief as to the truth as to the averments of paragraph 11 of the complaint and therefore is deemed to deny same.

12.

This defendant admits that said collision was due at least in part to his actions, but denies the averments of paragraph 12 as specifically stated.

13.

This defendant admits that said collision was due at least in part to his/her actions, but denies the averments of paragraph 12 as specifically stated. This defendant denies the averment regarding the liability carrier as improper under the law of the State of Mississippi.

14.

The averments of paragraph 14 are not directed toward this defendant and therefore require no response of him/her; should they be deemed to so apply adversely to him/her, they are denied.

15.

The averments of paragraph 15 are denied except to admit that as a result of the aforesaid collision plaintiff secured medical treatment.

16.

Denied.

17.

Denied.

18.

Denied, including the allegations in the unnumbered subparagraphs thereunder. This defendant specifically denies that plaintiffs are entitled to judgment against him/her in the sum sued for, costs and other legal and equitable relief.

THIRD DEFENSE

The injuries and damages complained of by plaintiffs herein were proximately caused by negligent actions on the part of plaintiff , including but not limited to the sudden and hazardous braking of her vehicle unwarranted by existing traffic conditions and signal.

Respectfully submitted,

BY: _____
ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I, _____, attorney for defendant, do hereby certify that I have this day mailed, by United States mail, postage prepaid, a true and correct copy of the above and foregoing Answer and Defenses of _____ to _____, attorney for plaintiff.

This the _____ day of _____, 20____.
