

Petitioner/Plaintiff,)	
)	
)	
)	
Vs.)	NO. _____
)	
)	
Respondent/Defendant)	
)	

COMES NOW the Defendant, _____, ("_____"), by and through its attorneys of record herein, and files this its answer and defenses to the Amended Complaint and for answer says as follows:

Answering the allegations of the Amended Complaint, paragraph by paragraph, this Defendants says as follows:

- 1 -

I.5 Admitted based upon information and belief

I.6 Admitted.

II.7 This Defendant specifically denies that _____ acted as the agent of _____ in the installation of the _____ home. _____ affirmatively asserts that _____ is a distinct corporation and was, in fact, an independent contractor retained for the purpose of delivering and installing the _____ home. All other allegations contained in this paragraph are admitted.

II.8 _____ admits that the installation included the setting up of the stairs, but denies that the construction of the stairs was included in the "installation" of the home.

II.9 _____ admits that the stairs were installed parallel to the home. _____ objects to the legal conclusion that _____ was an agent of _____, denies the same, and denies the remaining allegations contained in this paragraph.

II.10 Denied.

III.11 Denied.

III.12 Denied.

III.13 Denied.

III.14 Denied.

IV.15 Denied.

V.16 Denied.

VI.17 _____ denies that the stairs are a "necessary component of the overall 'good'", but admits the remaining allegations in the paragraph.

VI.18 Denied.

VI.19 Denied.

VII.20 (a) - (c) Denied.

SECOND DEFENSE

Any award of punitive damages in this action as sought by the Plaintiff would violate the rights of this Defendant under the Constitution of the United States of America and the Constitution of the State of _____, including but not limited to those provisions which provide for due process in the avoidance of excessive rules and penalties. Any award of punitive damages against this Defendant without guidelines which meet the minimal requirements of due process would violate the constitutional rights of this Defendant.

THIRD DEFENSE

The accident and injuries complained of in the Amended Complaint filed herein resulted solely from the negligence of the Plaintiff.

FOURTH DEFENSE

Alternatively, the Plaintiff's negligence contributed to the cause of accident and any damages should be reduced accordingly.

THIS the_____ day of _____, 20_____.

Respectfully submitted,

Dated: _____

Name: _____

Title: _____

Address: _____

Address: _____

City, State, Zip: _____

Phone: _____

Fax: _____

E-Mail: _____

Attorney No.:

CERTIFICATE OF SERVICE

I, _____, do hereby certify that I have this day mailed,
U.S. Mail, postage prepaid, a true and correct copy of the above and foregoing to
_____, at the following address;

THIS the ____ day of _____, 20____.
