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	)	
<b>Petitioner/Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	
	)	
	)	
<b>Respondent/Defendant</b>	)	
	)	

**NO.** \_\_\_\_\_

COMES NOW one of the defendants in this action, \_\_\_\_\_,  
 ("\_\_\_\_\_"), through counsel, and responds to the amended complaint as follows:

\_\_\_\_\_ answers the allegations of the Amended Complaint, paragraph by paragraph, as follows:

1. \_\_\_\_\_ does not have sufficient information upon which to admit or deny the allegations contained in paragraph 1 of the Amended Complaint, and therefore denies the same on information and belief.

2. The allegations contained in paragraph 2 do not appear to be directed to this defendant, or to require an answer from it.

3. The allegations contained in paragraph 3 do not appear to be directed to this defendant, or to require an answer from it.

4. The allegation that \_\_\_\_\_ acted as the agent of \_\_\_\_\_ in installing the subject mobile home does not appear to be directed to the plaintiffs' claim against \_\_\_\_\_ or to require an answer from it. The remaining allegations contained in paragraph 4 of the Amended Complaint are admitted, except that \_\_\_\_\_ would show that the stairs in question were prefabricated and required no "installation," but rather were placed in the location specified by \_\_\_\_\_.

5. Admitted.

6. Admitted.

## II. FACTS

7. The allegation that \_\_\_\_\_ acted as an agent of \_\_\_\_\_ in delivering and installing the subject mobile home does not appear to be directed to the claim against \_\_\_\_\_, or to require an answer from it. The remaining allegations contained in paragraph 7 of the Amended Complaint are admitted.

8. It is admitted that, in connection with its installation of the mobile home, \_\_\_\_\_ placed prefabricated steps leading to the front and back doors of the mobile home, with the steps leading to the front door being placed in a location specified by Mr. \_\_\_\_\_. Except as admitted hereinabove, the allegations contained in paragraph 8 are denied.

9. The allegation that \_\_\_\_\_ acted as an agent of \_\_\_\_\_ does not appear to be directed to the plaintiffs' claim against \_\_\_\_\_, or to require an answer from it. It is admitted that the steps to the front door were placed parallel to the home, as specified by Mr. \_\_\_\_\_. The remaining allegations contained in paragraph 9 are denied.

10. Denied.

### III. CLAIM ONE

11. It is admitted that \_\_\_\_\_ had a duty to exercise reasonable care in the placement of the steps. The remaining allegations contained in paragraph 11 are denied.

12. The allegations contained in paragraph 12 do not appear to be directed to the plaintiffs' claim against \_\_\_\_\_, or to require an answer from it.

13. The allegations contained in paragraph 13 do not appear to be directed to the plaintiffs' claim against \_\_\_\_\_, or to require an answer from it.

14. The allegation that \_\_\_\_\_ was an agent of \_\_\_\_\_ for the purpose of delivering and installing the mobile home, including placement of the steps, does not appear to be directed to the plaintiffs' claim against \_\_\_\_\_, or to require an answer from it. It is denied that \_\_\_\_\_ was negligent in any respect in its delivery and installation of the mobile home, including its placement of the steps in question.

### IV. CLAIM TWO

15. Denied.

### V. CLAIM THREE

16. Denied.

### VI. CLAIM FOUR

17. The allegations contained in paragraph 17 do not appear to be directed to the plaintiffs' claim against \_\_\_\_\_, or to require an answer from it.

18. The allegations contained in paragraph 18 do not appear to be directed to the plaintiffs' claim against \_\_\_\_\_, or to require an answer from it. It is specifically denied, however, that there was any failure to place the steps in question in such a manner as to permit safe ingress to and egress from the mobile home.

19. Denied.

## VII. RELIEF

20. In response to paragraph 20 of the Amended Complaint, and its sub-paragraphs, \_\_\_\_\_ denies that the plaintiffs are entitled to the damages demanded, or to any relief whatsoever against it in this action.

## SECOND DEFENSE

The sole proximate cause or, alternatively, a contributing proximate cause of \_\_\_\_\_'s fall from the subject steps and any injuries he sustained as a result thereof was his own negligence in failing to exercise reasonable care for his own safety at and prior to the time of the incident.

## THIRD DEFENSE

An award of punitive damages against \_\_\_\_\_ would violate its rights to due process of law under the Fifth and Fourteenth Amendments to the United States Constitution and Section 14 of the State of \_\_\_\_\_ Constitution, its rights to equal protection under the law as guaranteed by the Fourteenth Amendment to the United States Constitution and freedom from excessive fines as guaranteed by the Eighth Amendment to the United States Constitution and Section \_\_\_\_\_ of the State of \_\_\_\_\_ Constitution.

AND NOW, HAVING FULLY ANSWERED the Amended Complaint exhibited against it, \_\_\_\_\_ demands that said complaint be dismissed, judgment be entered in its favor and all costs of this action be taxed against the plaintiffs.

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\_\_\_\_.

\_\_\_\_\_