

IN THE _____ COURT OF _____ COUNTY
STATE OF _____

Petitioner/Plaintiff,
Vs. NO. _____

Respondent/Defendant

ANSWER OF _____

COMES NOW one of the defendants in the above-styled cause, _____,
and for answer to the plaintiff's Complaint and each cause of action contained therein, separately
and severally, says as follows:

1. Defendant admits the allegations contained in paragraph 1 of the plaintiff's
Complaint.

2. Defendant is without knowledge or information sufficient to form a belief as to
the truth of the allegations contained in paragraph 2 of the plaintiff's Complaint and therefore
denies the same.

3. Defendant is without knowledge or information sufficient to form a belief as to
the truth of the allegations contained in paragraph 3 of the plaintiff's Complaint and therefore
denies the same.

4. Defendant admits that it filled a prescription for an orthopedic shoe for the
plaintiff on the _____ day of _____, 20____, containing a rocker bottom sole and
special toe filler.

5. Defendant denies the allegations contained in paragraph 5 of the plaintiff's Complaint.

6. Defendant admits that it purchased the assets of _____ and that _____, filled an additional prescription for the plaintiff providing her with shoes that were identical to those provided on the _____ day of _____, 20____.

7. Defendant denies the allegations contained in paragraph 7 of the plaintiff's Complaint.

8. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 8 of the plaintiff's Complaint and therefore denies the same.

9. Defendant admits that it provided the plaintiff with shoes in accordance with prescriptions given to it by plaintiff's physicians. Defendant denies the remaining allegations of paragraph 9 of the plaintiff's Complaint.

10. Defendant denies the allegations contained in paragraph 10 of the plaintiff's Complaint.

11. To the extent that defendant has admitted or denied allegations contained in paragraphs 1 through 10 of the plaintiff's Complaint, it incorporates those admissions and denials herein by reference in response to paragraph 11 of Count One.

12. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12 of Count One of the plaintiff's Complaint and therefore denies the same.

13. Defendant denies the allegations contained in paragraph 13 of the plaintiff's Complaint.

14. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 14 of Count One of the plaintiff's Complaint and therefore denies the same.

15. To the extent that this defendant has admitted or denied allegations contained in paragraphs 1 through 10 of the plaintiffs Complaint, this defendant reincorporates the same herein to paragraph 15 of the plaintiff's Complaint. Defendant denies the remaining allegations of paragraph 15 of Count Two of the plaintiff's Complaint.

16. To the extent that this defendant has admitted or denied allegations contained in paragraphs 1 through 10 and paragraph 14 of the plaintiff's Complaint, defendant incorporates the same by reference herein to paragraph 16 of the plaintiff's Complaint.

17. Defendant admits that it designed, manufactured, assembled and sold pairs of shoes to the plaintiff at various times. Defendant denies the remaining allegations contained in Count Three of the plaintiffs Complaint.

18. To the extent that this defendant has admitted or denied allegations contained in paragraphs 1 through 10 of the plaintiffs Complaint, defendant reincorporates the same herein by reference to paragraph 23 in Count Four of the plaintiff's Complaint.

19. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 24 of Count Four of the plaintiffs Complaint and therefore denies the same.

20. Defendant denies the remaining allegations contained in Count Four of the plaintiff's Complaint.

21. To the extent that this defendant has admitted or denied allegations contained in paragraphs 1 through 10 and Count Four of the plaintiff's Complaint, the defendant incorporates

the same by reference herein to paragraph 27 of Count Five of the plaintiff's Complaint. Defendant denies the remaining allegations contained in Count Five of the plaintiff's Complaint.

22. To the extent that this defendant has admitted or denied allegations contained in paragraphs 1 through 10 and paragraph 26 of the plaintiff's Complaint, defendant incorporates the same herein by reference to paragraph 28 to Count Six of the plaintiffs Complaint.

23. Defendant admits that it is engaged in the business of designing, manufacturing, assembling and selling orthopedic shoes. It further admits it sold shoes to the plaintiff.

24. Defendant denies the remaining allegations contained in Count Six of the plaintiff's Complaint.

25. To the extent that this defendant has admitted or denied allegations contained in paragraphs 1 through 10 and paragraph 26 of the plaintiffs Complaint, defendant incorporates the same herein by reference to paragraph 35 to Count Seven of the plaintiff's Complaint.

26. Defendant denies the remaining allegations contained in Count Seven of the plaintiff's Complaint.

27. Defendant denies each allegation of the plaintiff's Complaint not heretofore specifically admitted or denied.

FIRST AFFIRMATIVE DEFENSE

As a further defense, defendant avers that plaintiff's Complaint and each cause of action therein contained, separately and severally, fail to state a claim against this defendant upon which relief can be granted.

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____.
