

IN THE SUPERIOR COURT OF THE STATE OF MAJOR
IN AND FOR THE COUNTY OF JAMNER

GRETCHEN and HANS SUMMERS)	
Individually and as Administrators,)	No.: 20XX 01234 9
Personal Representatives of the)	
Estate of BRUNO SUMMERS, deceased,)	ANSWER BY ED HARD*
And as guardians for)	
AMANDA and RONNIE SUMMERS;)	
RONNIE SUMMERS, individually and)	
DEBORAH SUMMERS, individually,)	
)	
Plaintiffs,)	
)	
vs.)	
EDWARD TAYLOR HARD; M.C. DAVOLA)	
And JANE DOE DAVOLA, his wife;)	
TOM DONALDSON; MARY APPLE; and)	
JOHN DOE and MARY DOE, his wife,)	
And the DOE CORPORATION, d/b/a)	
THE GARAGE)	
)	
Defendant)	

COMES NOW the defendant, EDWARD T. HARD, by and through his attorney, D.G.
CASE, and answers:

1. Defendant Ed. Hard has insufficient information with which to form a belief as to the truth or falsity of paragraphs 1-10, 12, 13, 16, 17, 18, 20, and 21 and therefore denies the same.
2. Defendant HARD admits in paragraph 11 that Bruno Summers died, but denies each and every other allegation in that paragraph.
3. Defendant HARD denies the allegations in paragraphs 14 and 15.

* Review for critique purposes only. This document is not intended as a model answer.

4. Paragraph 14 of the complaint is inflammatory, prejudicial, and scandalous and included to prejudice defendant HARD. Defendant requests that it be stricken from the complaint forthwith.

FIRST AFFIRMATIVE DEFENSE

5. Bruno Summers' injuries as duly set forth and alleged in the complaint were accidental in that the gun discharged accidentally and subsequently injured Bruno Summers. Such conduct was reasonable.

SECOND AFFIRMATIVE DEFENSE

6. Defendant Hard alleges as a second affirmative defense that Bruno Summers proximately caused his own injuries in failing to avoid a confrontation, failure to use reasonable care, by voluntary intoxication, and failing to leave The Garage, he assumed the risks and hazards. By reason of his conduct, Bruno Summers caused and provoked his own injuries. Such negligent conduct must be imputed to plaintiffs by reason of State of Major statutes.

THIRD AFFIRMATIVE DEFENSE

7. Plaintiffs' damages, if any, were solely and proximately caused by and contributed to by the actions of third parties.

8. By way of reservation of rights, without waiver, EDWARD HARD specifically reserves the right to amend its answer and claims herein by way of adding additional parties, affirmative defenses, cross-claims, and third-party claims as additional investigation, discovery or circumstances warrant.

PRAYER FOR RELIEF

WHEREFORE Defendant EDWARD TAYLOR HARD respectfully prays for the following heretofore described relief:

1. That paragraph 14 of plaintiffs' complaint be stricken immediately;
2. That plaintiffs' complaint against EDWARD TAYLOR HARD be dismissed with prejudice;
3. That defendant HARD be awarded costs and attorneys fees and other relief as the court deems fit.

Entry 36: Ed Hard Answer (for critique only)-3 of 3

DATED this 8 day of November, 20XX

Edward Taylor Hard

EDWARD TAYLOR HARD

D. G. Case

D. G. CASE, MBA # 8416

77 4th Ave. S.E.

Ruston, Major 94802

(206) 877-4777

Attorney for Defendant