user\_fname user\_lname

user\_mailing\_address

user\_email

Attorney for Defendant

defendant\_fname defendant\_lname

SUPERIOR COURT OF THE STATE OF CASE\_STATE

FOR THE COUNTY OF CASE\_COUNTY

PLAINTIFF\_FNAME

PLAINTIFF\_LNAME, ) CASE NO. [case\_no]

)

Plaintiff, ) **ANSWER OF DEFENDANT [defendant\_fname] [defendant\_lname]**

) **TO COMPLAINT OF PLAINTIFF**

v. ) **[plaintiff\_fname] [plaintiff\_lname]**

)

[DEFENDANT\_FNAME]

[DEFENDANT\_LNAME], )

)

Defendants. )

)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

Defendant, [defendant\_fname] [defendant\_lname] for themselves and no other Defendant, denies and alleges as follows:

1. Pursuant to the provision of section 431.30(d) of the California Code of Civil Procedure, Defendant, [defendant\_fname] [defendant\_lname] denies, both generally and specifically, each, every and all of the allegations of Plaintiff, [plaintiff\_fname] [plaintiff\_lname] and each and every cause of action contained therein, and the whole thereof; this Answering Defendant further denies that Plaintiff was damaged and/or injured in any sum or sums, or at all, by reason of any negligent act and/or omission to, or any other conduct on the part of this Answering Defendant, or any of their agents and/or employees.

FURTHER, AS SEPARATE AFFIRMATIVE DEFENSES to each and every cause of action of the complaint, this Answering Defendant is informed and believes, and on such information and belief alleges as follows:

**FIRST AFFIRMATIVE DEFENSE**

2. As a First and Separate Affirmative Defense, this Answering Defendant alleges that the Plaintiff’s complaint and each cause of action contained therein fails to state facts sufficient to constitute a cause of action against this Answering Defendant. This affirmative defense is for the purpose of avoiding any waiver of the affirmative defense and is based on information and belief. This affirmative defense is likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

\*\*\*

USER\_FIRM\_NAME

/s/ user\_fname user\_lname

user\_fname user\_lname

Of attorneys for Defendant