

JASON W. ROYAL, et al.

Plaintiffs

v.

EASTERN HOMES, INC., et al.

Defendants

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IN THE

CIRCUIT COURT

FOR

HOWARD COUNTY

Case No.: 13-C-04-059581 OC

\* \* \* \* \*

**ANSWER TO AMENDED COMPLAINT**

NOW COMES, Eastern Homes, Inc., Defendant, by and through its undersigned counsel, Ami C. Dwyer, Ruth-Ann E. Bennett and Franklin & Prokopik, and in answer to the Amended Complaint filed by Plaintiffs hereby states:

**GENERAL DENIAL OF LIABILITY**

1. Pursuant to Rule 2-323(d), the Defendant generally denies liability as to each and every count contained in the Complaint.
2. The Defendant did not commit the wrongs as alleged.
3. The Defendant is not indebted as alleged.
4. The Defendant specifically denies that it breached any duty or obligation to Plaintiffs and generally denies that it was negligent.
5. Defendant specifically denies that it failed to meet Howard County Code Requirements.

**AFFIRMATIVE DEFENSES**

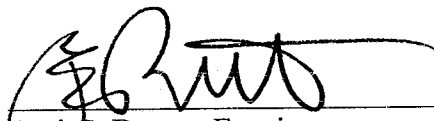
6. The Plaintiffs' claims are barred by contributory negligence.
7. The Plaintiffs' claims are barred by assumption of the risk.
8. The Plaintiffs' did not sustain the damages as alleged.

9. The Complaint and each and every Count therein fails to state a claim upon which relief can be granted.

10. The Plaintiffs allege damages were not proximately caused by this Defendant.

11. Plaintiffs' claims are barred by the statute of limitations.

**WHEREFORE**, Defendant Eastern Homes, Inc., respectfully requests that Plaintiffs' Amended Complaint be dismissed with prejudice and that Defendant be awarded its costs of suit.



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*Attorneys for Defendant Eastern Homes, Inc.*

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the \_\_\_\_ day of March, 2005, a copy of Eastern Homes, Inc.'s Answer to Amended Complaint was mailed first class, postage prepaid, to:

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Ruth-Ann E. Bennett