



6. That Plaintiffs lack the authority and/or capacity to sue;
7. That Plaintiffs' decedent's injuries, losses and damages, if any, are the result of actions or omissions of others for which these Defendants are not responsible;
8. That Defendants deny agency as alleged;
9. By way of separate and affirmative defenses, Plaintiffs' claims are barred in whole or in part by the Doctrines of collateral estoppel, payment, release, waiver and/or failure of a condition precedent;
10. That any Certificate of Qualified Expert and/or Report filed by the Plaintiffs is or has been untimely filed and is insufficient in law and/or in fact and otherwise fails to meet the condition precedent, as set forth in the Maryland Code;
11. This Court lacks subject matter jurisdiction over Plaintiffs' action;
12. That the injuries, losses and damages, if any, alleged to have been incurred by the Plaintiffs were the result of naturally occurring disease processes which cannot be attributed to these Defendants;
13. That pursuant to Maryland Rule 2-323(d), these Defendants generally deny liability for each and every allegation contained in Plaintiffs' Amended Complaint; and,
14. That at all times applicable hereto, these Defendants complied with the standards of care of reasonable competent practitioners acting under the same or similar circumstances.

WHEREFORE, Defendants, \_\_\_\_\_, and \_\_\_\_\_, respectfully request that the Amended Complaint be dismissed with prejudice, and that judgment be entered on behalf of these Defendants with costs.

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*Attorneys for Defendants,*

**ELECTION FOR JURY TRIAL**

Defendants elect to try this case before a jury.

Respectfully submitted,  
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