IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY

and as Personal Representative of the Estate of , et al.			*					
Plaintiffs			*					
v.			*	CASE I	Ю.			
	, , et al.		*					
Defendants	•		*					
.*		*	*	*				
. .	ANSWER TO	AMEN	DED C	OMPLAI	<u>NT</u>			
Defendants,		1,	and		s,	,	- , by	their
attorneys,	,		and		,	,	ı	
, answer	r and respond	to the A	Amende	ed Compl	aint fi	led he	rein, a	nd to
each and every coun	t thereof, say	• •						

- 1. That they did not commit the wrongs alleged;
- 2. That they are not guilty of the wrongs alleged;
- 3. That the Amended Complaint fails to state a claim upon which relief can be granted;
- 4. That Plaintiffs' action is barred in whole or in part by the applicable statute of limitations;
- 5. That Plaintiffs' action is barred by the doctrines of contributory negligence and/or assumption of the risk and/or superseding intervening cause;

- 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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