

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

Case type: _____

Plaintiff,

v.

Defendant.

Court file no. _____

Judge: _____

Answer

Defendant, for an Answer to the Complaint of Plaintiff, states and alleges as follows:

Answer

1. Except as otherwise admitted or qualified herein, Defendant denies each and every allegation in the Complaint and puts Plaintiff to its strictest proof thereof. Defendant notes that this denial is due, among other things, to multiple allegations within a single paragraph of the Complaint.
2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph(s) _____ of the Complaint and therefore denies the same and puts Plaintiff to its strictest proof thereof.
3. Defendant admits that Defendant's name is _____ (name) and that Defendant resides at the address shown below.

Affirmative Defenses

On information and belief, based on the information or lack thereof now available to Defendant, the following affirmative defenses may apply:

4. Plaintiff lacks standing.
5. Plaintiff has failed to join a necessary party.
6. Defendant was not notified of any assignment of the debt that is the subject of the Complaint.
7. Defendant does not consent to or ratify any assignment of the debt that is the subject of the Complaint, or any portion of it.

8. Service of process was insufficient.
9. Plaintiff sued the wrong person.
10. The Complaint fails to state a cause of action on which relief may be granted.
11. Plaintiff's claims are barred by the statute of frauds, Minn. Stat. § 513.01.
12. Plaintiff's claims are barred by the doctrine of laches.
13. Plaintiff's claims are barred by the principle of waiver.
14. Plaintiff's claims are barred by the applicable statute of limitations.
15. Plaintiff's claims are based on a contract that is an adhesion contract, and as such, all or portions of it are unenforceable.
16. Plaintiff's claims are based on a contract that is illusory and therefore unenforceable.
17. Plaintiff's calculation of interest is usurious or based on a rate that is greater than allowed by law.
18. Plaintiff has failed to state a valid claim for attorney fees.

Prayer for Relief

Wherefore Defendant respectfully requests that judgment be entered against Plaintiff as follows:

- a. That Plaintiff take nothing for its Complaint;
- b. That Defendant be awarded costs, fees, and disbursements;
- c. That Defendant be awarded reasonable attorney fees, if any;
- d. That Defendant be awarded such other and further relief as this Court deems just and equitable.

(date)

(signature)

(print name)

(home address)

(phone)

Minn. Stat. § 549.211 Acknowledgement

Pursuant to Minn. Stat. § 549.211, the undersigned hereby certifies that to the best of the undersigned's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

- a. this pleading is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
- b. the claims, defenses, and other legal contentions are warranted by existing law or by a non-frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
- c. the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and
- d. the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.
- e. The undersigned acknowledges that sanctions may be imposed under Minn. Stat. § 549.211.

(date)

(signature)

(print name)