

11/17/09

ANN COLLINS

and

STEVE COLLINS

Plaintiffs

v.

LINDA ANN SENEZ

Defendant

LINDA ANN SENEZ

Counter-Plaintiff

v.

STEVE COLLINS

and

ANN COLLINS

and

NATIONAL CITY MORTGAGE CO.

Counter-Defendants

\* IN THE  
\* CIRCUIT COURT  
\* FOR  
\* BALTIMORE COUNTY

\* Case No. 03-C-04-010227

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ANSWER

Steve Collins and Ann Collins, Plaintiffs/Counter-Defendants, by J. Calvin Jenkins, Jr. and the Law Offices of J. Calvin Jenkins, Jr. and J. Neil Lanzi and J. Neil Lanzi, P.A., their attorneys, respectfully file an Answer to the Counterclaim of Linda Ann Senez, Defendant/Counter-Plaintiff and state:

**SPECIFIC ALLEGATIONS**

1. Plaintiffs/Counter-Defendants admit the allegations as contained in paragraphs 1-4 of the Counterclaim.
2. Plaintiff/Counter-Defendants deny the allegations as contained in paragraphs 5-9 of the Counterclaim.
3. As alleged in paragraph 10 of the Counterclaim, the Plaintiffs/Counter-Defendants admit they are denying and disputing Defendant/Counter-Plaintiff's title to such real property described in the Property Description and deny that Defendant/Counter-Plaintiff is in actual peaceable possession of the property described in the Property Description.
4. Plaintiffs/Counter-Defendants deny the allegations as contained in paragraphs 11 and 12.


WHEREFORE, having fully responded to the Counterclaim, the Plaintiffs/Counter-Defendants respectfully request the Court as follows:

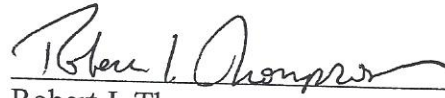
- A. Dismiss the Counterclaim filed by Defendant/Counter-Plaintiff with prejudice.
- B. Enter judgment in favor of the Plaintiffs/Counter-Defendants and against Defendant/Counter-Plaintiff with regard to all relief requested by Defendant/Counter-Plaintiff.
- C. Charge Defendant/Counter-Plaintiff with the costs, including reasonable attorneys' fees, associated with Plaintiffs/Counter-Defendants having to defend the Counterclaim.

D. That the Plaintiffs/Counter-Defendants be granted such other and further relief as the nature of this cause may require.


AFFIRMATIVE/NEGATIVE DEFENSES

1. The Counterclaim fails to state a claim upon which relief can be granted.
2. The claims in the Counterclaim are barred by the applicable Statute of Limitations.
3. The claims in the Counterclaim are barred by the Doctrine of Laches.
4. The claims in the Counterclaim are barred by the Doctrine of Waiver.
5. The claims in the Counterclaim are barred by the Doctrine of Estoppel.
6. The claims in the Counterclaim cannot be based upon Plaintiffs' lack of or inferior record title in and to the subject property.
7. Plaintiffs/Counter-Defendants presently have insufficient knowledge or information in which to form a belief as to whether they may have additional, as yet unstated, affirmative defenses available. Plaintiffs/Counter-Defendants reserve the right to amend their Answer and to assert additional defenses in the event discovery indicates they would be appropriate.

  
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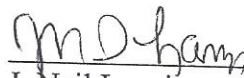


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Attorneys for Plaintiffs/Counter-Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17<sup>th</sup> day of November, 2004, a copy of the foregoing Answer was mailed, first-class, postage prepaid, to Bruce Edward Covahey, Esquire and Edward L. Covahey, Jr., Covahey & Boozer, P.A., 614 Bosley Avenue, Towson, Maryland 21204, Attorney for Defendant/Counter-Plaintiff.



J. Neil Lanzi