

LOUIS ELMORE, JR., et al.

* **IN THE**

Plaintiffs

* **CIRCUIT COURT**

vs.

**GREATER BALTIMORE
PROPERTIES LIMITED**

* **FOR BALTIMORE CITY**

PARTNERSHIP, a/k/a

**G.B.P., Limited Partnership,
et al.**

* **CASE NO. 24-C-07-001127**

Defendants

* * * * *

ANSWER TO COMPLAINT

Marc Medin, one of the Defendants, by Michael D. Vogelstein, his attorney, hereby
Answers the Plaintiffs' Complaint and states:

FIRST DEFENSE

The Plaintiffs' Complaint fails to state a claim upon which relief can be granted against
these Defendants.

SECOND DEFENSE

These Defendant generally deny liability pursuant to Maryland Rule 2-323 (d).

THIRD DEFENSE

The Plaintiffs' claims are barred by the principles of contributory negligence.

FOURTH DEFENSE

The Plaintiffs' claims are barred by the principles of assumption of the risk.

FIFTH DEFENSE

The Plaintiffs' claims are barred by the applicable Statue of Limitations.

SIXTH DEFENSE

The Defendants hereby incorporate into their Answer all of the negative defenses available to them pursuant to Maryland Rule 2-323(f).

SEVENTH DEFENSE

The Plaintiffs' claims are barred by the principles of res judicata and collateral estoppel.

EIGHTH DEFENSE

The Plaintiffs' claims are barred by the principles of payment, release and accord and satisfaction.

NINTH DEFENSE

The Plaintiffs' claims are barred by the principles of estoppel, waiver and laches.

TENTH DEFENSE

The Plaintiffs' claims are barred by the principles of fraud.

ELEVENTH DEFENSE

The Plaintiffs' Complaint fails to join parties necessary for a full and fair resolution of the Plaintiffs' claims against these Defendants.

TWELFTH DEFENSE

The claims of the minor Plaintiff is barred by the intervening and superseding negligence of the Plaintiffs.

WHEREFORE, the Defendant, Marc Medin, respectfully requests that the Plaintiffs' Complaint be Dismissed and that the Defendant be awarded costs and attorneys' fees associated with this proceeding, and further, seeks all other relief the Court deems appropriate.

MICHAEL D. VOGELSTEIN
210 North Charles Street, Suite 801
Baltimore, Maryland 21201
(410) 727-3000
Attorney for Defendant Marc Medin

CERTIFICATE OF SERVICE

_____ **I HEREBY CERTIFY** that on this _____ day of _____, 2007 that a copy
of the Answer to Complaint was mailed, postage pre-paid to:

David F. Albright, Jr., Esquire
200 Court Square Building
200 East Lexington Street, Ste 200
Baltimore, Maryland 21202
Attorney for Plaintiffs

Michael D. Vogelstein