

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

Beatrice Youngblood,

Plaintiff,

vs.

Randy Williams Edwards and RWE
Trucking Company,

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

CASE NO.: 2019-CP-10-00347

**DEFENDANTS' ANSWER
(Jury Trial Demanded)**

FILED
2019 MAY -7 AM 10:38
JULIE J. ARMSTRONG
CLERK OF COURT
BY [Signature]

TO: LOKEY LAW FIRM LLC, ATTORNEYS FOR PLAINTIFF

The Defendants, Randy Williams Edwards and RWE Trucking Company ("Defendants"), answering the Complaint of the Plaintiff, Beatrice Youngblood ("Plaintiff"), and responding to the allegations as follows:

FOR A FIRST DEFENSE

1. Defendants admit the allegations in Paragraphs 1 and 2 of the Complaint.
2. Responding to Paragraph 3 of the Complaint, Defendants admit that RWE Trucking is a domestic company registered in the State of Georgia. Plaintiff sets forth legal conclusions in the remaining allegations to which no response is required. To the extent a response is required, Defendants deny those allegations.
3. Defendants admit the allegations in Paragraph 4 of the Complaint.
4. Plaintiff sets forth legal conclusions in Paragraph 5 of the Complaint to which no response is required.
5. Defendants admit the allegations in Paragraph 6 of the Complaint.

6. Responding to Paragraph 7 of the Complaint, Defendants admit only that Plaintiff was a passenger in a 2010 Ford SUV at said time and place. Defendants lack sufficient knowledge and information to form a belief as to the truth of the remaining allegations.

7. Defendants admit the allegations in Paragraph 8 of the Complaint.

8. Responding to Paragraph 9 of the Complaint, Defendants admit simple negligence only. Defendants lacks sufficient knowledge and information to form a belief as to the truth of the remaining allegations.

9. Defendants lack sufficient knowledge and information to form a belief as to the truth of the allegations in Paragraph 10 of the Complaint.

10. Defendants deny the allegations in Paragraphs 11, 12, and 13 of the Complaint.

11. Responding to the Paragraph beginning "WHEREFORE," Defendants deny that Plaintiff is entitled to the requested relief or any other relief from these Defendants.

12. Except as specifically admitted above, Defendants deny every allegation of the Complaint.

FOR A SECOND DEFENSE
(Failure to State a Claim)

13. Plaintiff fails to state facts sufficient to constitute a cause of action, and therefore, the Court should dismiss the Complaint per Rule 12(b)(6) of the South Carolina Rules of Civil Procedure.

FOR A THIRD DEFENSE
(Failure to Mitigate Damages)

14. To the extent the evidence shows Plaintiff failed to mitigate her damages, such a failure constitutes a complete defense as to that portion of damages which Plaintiff could have avoided by reasonable and prompt action.

FOR A FOURTH DEFENSE
(Reliance on Other Defenses)

15. Defendants could rely on other affirmative defenses that may become apparent during the course of discovery, and they reserve the right to amend their Answer to assert any such defenses.

WHEREFORE, Defendants pray for a trial by jury, that Plaintiff's Complaint be dismissed, together with the costs and disbursements of this action, and for such other relief as the Court may deem just and proper.

CLAWSON and STAUBES, LLC



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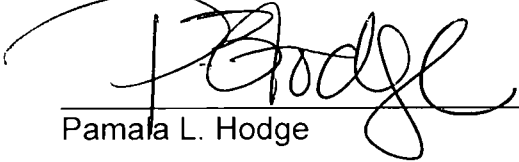
May 6, 2019

2019-CP-10-0347
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing DEFEDANT'S ANSWER was served upon the following parties on the 7 day of May, 2019, via:

<input checked="" type="checkbox"/>	United States Postal Service
<input type="checkbox"/>	Facsimile
<input checked="" type="checkbox"/>	Electronic Email
<input type="checkbox"/>	Via Hand Delivery

Nadia Baig, Esquire
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Attorney For: Beatrice Youngblood


Pamala L. Hodge

FILED
2019 MAY -7 AM 10:32
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____



Penn W. Ely
Licensed in SC
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May 6, 2019

File No.: 20190593.000

VIA HAND DELIVERY

The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad St Ste 106
Charleston, SC 29401-2210

Re: Beatrice Youngblood vs. Randy Williams Edwards and RWE Trucking Company
Case No.: 2019-CP-10-00347

Dear Ms. Armstrong:

Enclosed please find an original and one copy of the Defendant's Answer in the above-referenced case. Please file the original along with the other documents in this case and return the file stamped copy to our office in the enclosed self-addressed stamped envelope. Should you have any questions, please do not hesitate to contact me.

Thank you very much for your attention to this matter.

Very truly yours,

CLAWSON and STAUBES, LLC

Penn W. Ely

A large, stylized handwritten signature in black ink, appearing to be "PWE", is written over the typed name "Penn W. Ely".

PWE/plh
Enclosure
cc: Nadia Baig, Esquire