

8. Defendant admits the allegations contained in Paragraph 16.

9. Defendant denies the allegations contained in Paragraph 17, 18, and 19

10. In response to the allegations contained in Paragraph 20, Defendant reiterates his responses to Paragraph 1 through 19 as if restated verbatim herein.

11. Defendant denies the allegations contained in Paragraphs 21, 22, 23, 24, and 25.

12. In response to the allegations contained in Paragraph 26, Defendant reiterates his responses to Paragraph 1 through 25 as if restated verbatim herein.

13. Defendant denies the allegations contained in Paragraph 27.

14. Defendant hereby denies all Request for Admissions served on Defendant pursuant to Rule 36 of the South Carolina Rules of Civil Procedure which are inconsistent with Defendant's Answer.

15. Defendant denies the prayer for relief constituting the remainder of the Complaint.

FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO
(Failure to State a Claim)

16. The Complaint fails to state grounds upon which relief can be granted pursuant to SCRCP 12(b)(6).

FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO
(Adherence to Standard of Care)

17. To the extent the evidence shows, Defendant exercised that degree of skill and care required of him by law at all times relevant to the matters complained of in the Complaint.

FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO
(Sudden Emergency Doctrine)

18. The sudden emergency doctrine precludes the Plaintiff's claims because Defendant made every reasonable effort under the circumstances to avoid the accident, which took place under emergent conditions.

FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO
(Unclean Hands)

19. To the extent the evidence shows, Plaintiff is barred from the recovery based on the doctrine of unclean hands.

FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO
(Act of God)

20. To the extent the evidence shows, the accident occurred due to an unforeseeable act of God.

FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO
(Punitive Damages Unconstitutional)

21. The claims for punitive damages are barred as a matter of law under the facts of this matter, and the statutes of the State of South Carolina purporting to authorize those claims violate Defendant's rights as guaranteed by the Constitutions of the State of South Carolina and the United States of America.

**FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO**
(No Proximate Cause)

22. To the extent the evidence shows, no causal connection exists between any alleged act or omission of Defendant and the damages Plaintiff alleges.

**FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO**
(Failure to Mitigate)

23. To the extent the evidence shows, Plaintiff has failed to take action to reasonably avoid or reduce the alleged damages and injuries, and is therefore not entitled to recover said damages that should have been avoided or reduced.

**FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO**
(Third Party/Comparative Negligence)

24. To the extent the evidence shows, any injuries suffered by Plaintiff were caused by parties other than Defendant, including, but not limited to, Plaintiff.

**FURTHER ANSWERING THE COMPLAINT AND
AS AN AFFIRMATIVE DEFENSE THERETO**
(Reservation/Non-waiver)

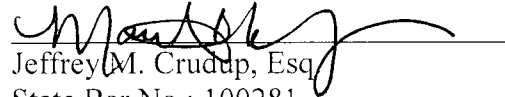
25. Defendant reserves any additional and further defenses as may be revealed by additional information obtained during the course of discovery and investigation and as are consistent with the South Carolina Rules of Civil Procedure.

WHEREFORE, having fully responded to the Complaint, Defendant demands a trial by a jury of 12 persons and judgment in his favor.

This 5th day of March, 2019.

Respectively Submitted,

CLARKSON, WALSH, & COULTER, P.A.,

A handwritten signature in black ink, appearing to read "Jeffrey M. Crudup", is written over a horizontal line.

Jeffrey M. Crudup, Esq.

State Bar No.: 100281

1233 Ben Sawyer Blvd., Suite 900

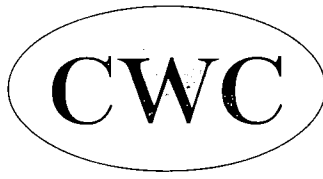
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March 5, 2019

Julie J. Armstrong, Clerk
Clerk of Court – Charleston County
100 Broad Street, Suite 106
Charleston, SC 29401-2210

Re: Megan Johnson v. Daniel C. Moss
C/A No.: 2019-CP-10-0496
File No.: 451.728

Dear Clerk:

Enclosed for filing, please find Defendant's Answer to Plaintiff's Complaint in regards to this matter. By copy of this correspondence, I have notified all counsel of this filing. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely Yours,

A handwritten signature in black ink, appearing to read 'Jeffrey M. Crudup', written in a cursive style.

JEFFREY M. CRUDUP

JMC/kea
Enclosures

cc: Kathryn T. Gathy, Esq.

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