

Craig D. Charlton
SMITH LAW FIRM, P.C.
26 W. Sixth Avenue
PO Box 1691
Helena, MT 59624
Telephone: (406) 442-2980
Email: ccharlton@smithlawmt.com

Attorney for Defendant Terri Murray

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

Helena Division

AMBER J. WILLIAMS,)	
)	CV- 20-00023-H-DLC-JTJ
Plaintiff,)	
)	DEFENDANT TERRI
vs.)	MURRAY’S ANSWER TO
)	COMPLAINT
CANDICE OSTERMAN, et al,)	
)	
Defendants.)	

COMES NOW, Defendant Terri Murray, (“Murray”), by and through her undersigned counsel, and hereby answers the Complaint of Plaintiff Amber J. Williams as follows:

1. In response to the claims against Defendant Terri Murray, Defendant Murray denies all of the allegation against her. Specifically, Defendant denies that she took away any visits with A.R. or had the authority to take away any visits with A.R.

2. Defendant Murray lacks sufficient information or knowledge to either admit or deny the remainder of the allegations in the Complaint, so she denies those allegations.

1 **First Affirmative Defense**

2 Plaintiff's Complaint fails to state a claim or state a cause of action upon
3 which relief can be granted against Defendant Murray.

4 **Second Affirmative Defense**

5 Some or all of Plaintiff's claimed damages and request for relief are barred by
6 the doctrine of estoppel.

7 **Third Affirmative Defense**

8 Some or all of Plaintiff's claimed damages and request for relief are barred by
9 the doctrine of laches.

10 **Fourth Affirmative Defense**

11 Some or all of Plaintiff's claimed damages and request for relief are barred by
12 the doctrine of res judicata.

13 **Fifth Affirmative Defense**

14 Plaintiff's claims are barred, in whole or in part, by the doctrine of unclean
15 hands.

16 **Sixth Affirmative Defense**

17 Some or all of Plaintiff's claimed damages and request for relief are barred by
18 Plaintiff's failure to act, and therefore barring or limiting her potential for recovery.

19 **RESERVATION OF DEFENSES**

20 Defendant currently has insufficient information upon which to form a belief
21 as to whether she may have additional, as yet unstated, affirmative defenses
22 available. Accordingly, Defendant reserves the right to assert additional affirmative
23 defenses in the event discovery indicates such defenses would be appropriate.

24 //

25 //

//

PRAYER FOR RELIEF

WHEREFORE, Defendant Terri Murry having fully answered the Complaint,
prays that the Court do the following:

1. Dismiss Plaintiff's Complaint with prejudice and judgment be entered for the Defendant Terri Murray;
2. Award Defendant her costs and attorney's fees; and
3. Award Defendant such further relief as the Court deems proper.

Respectfully submitted this 11th day of September, 2020.

SMITH LAW FIRM, P.C.

By: /s/ Craig D. Charlton
Craig D. Charlton,
Attorney for Defendant
Terri Murray

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of September, 2020, I electronically filed the foregoing document, with the U.S. District Court. Notice will automatically be electronically mailed to individuals who are registered with the U.S. District Court CM/ECF System. Additionally, a copy will be mailed to the Plaintiff at the following address:

Amber J. Williams
PO Box 6871
Helena, MT 59604

By: /s/ Craig D. Charlton
Craig D. Charlton
Attorney for Defendant
Terri Murray