



AlaFile E-Notice

11-CV-2018-900431.00

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NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF CALHOUN COUNTY, ALABAMA

STATE OF ALABAMA ET AL V. AMERICAN PLUMBING AND SEPTIC SERVICE, LLC E
11-CV-2018-900431.00

The following answer was FILED on 9/6/2018 1:30:20 PM

Notice Date: 9/6/2018 1:30:20 PM

KIM MCCARSON
CIRCUIT COURT CLERK
CALHOUN COUNTY, ALABAMA
25 WEST 11TH STREET
ANNISTON, AL, 36201

256-231-1750
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CIRCUIT COURT OF
CALHOUN COUNTY, ALABAMA
KIM MCCARSON, CLERK

DOCUMENT 211

IN THE CIRCUIT COURT OF CALHOUN COUNTY ALABAMA

STATE OF ALABAMA, *

Plaintiff, *

v. *

CASE NO.: CV-2018-900431

AMERICAN PLUMBING AND SEPTIC *
SERVICE, LLC, an Alabama corporation; *
AMERICAN PLUMBING AND SEPTIC *
SERVICE, LLC d/b/a A American Drain *
Cleaning & Plumbing Service; RICHARD *
JOSHUA PESNELL, individually and as *
owner/incorporator of AMERICAN *
PLUMBING AND SEPTIC SERVICE, LLC *
and AMERICAN PLUMBING AND SEPTIC *
SERVICE, LLC d/b/a A American Drain *
Cleaning & Plumbing Service; JESSICA *
PESNELL, individually and as incorporator *
of AMERICAN PLUMBING AND SEPTIC *
SERVICE, LLC and AMERICAN *
PLUMBING AND SEPTIC SERVICE, LLC, *
d/b/a A American Drain Cleaning & *
Plumbing Service; RICHARD JOSHUA *
PESNELL, individually and as owner/ *
incorporator of AMERICAN PLUMBING *
AND SEPTIC SERVICE, LLC and *
AMERICAN PLUMBING AND SEPTIC *
SERVICE, LLC d/b/a A American Drain *
Cleaning & Plumbing Service; DAVIS *
UNLIMITED, LLC an Alabama corporation; *
RICHARD JOSHUA PESNELL, as *
co-owner of DAVIS UNLIMITED, et al., *

Defendants. *

ANSWER

Comes now the defendant, Davis Unlimited, in the above styled cause and for answer to the complaint of the plaintiff, says as follows:

1. This defendant pleads not guilty.
2. This defendant denies each and every allegation in the plaintiff's complaint and

demands strict proof thereof.

3. The plaintiff's complaint fails to state a cause of action upon which relief can be granted.


4. This defendant contests the extent of the alleged injuries to the plaintiff and demands strict proof thereof.

5. This defendant asserts that it is entitled to a setoff or credit or any and all settlement amounts paid by any party or potential party to this litigation, whether or not named herein and does hereby claim such setoff or credit.

6. This defendant asserts the plaintiff has failed to mitigate their alleged damages.

7. The defendant pleads adopts all applicable defenses pled by the co-defendant.

8. The defendant reserves the right to amend this answer pending discovery of additional facts.



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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of September, 2018, I electronically filed the foregoing with the Clerk of the Court using the Alafile system, which will send electronic notification of such filing and I hereby certify that I have mailed by United States Postal Service the document to any non-Alafile participant.

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Of Counsel