

STATE OF NEW YORK
SUPREME COURT

COUNTY OF ESSEX

TOWN OF ESSEX, and JAMES Z. MORGAN, Jr.,
as Superintendent of Highways for the Town of Essex,

Plaintiffs,

- vs. -

LEWIS FAMILY FARM, INC.,

Defendant.

**VERIFIED
ANSWER**

No. 000047-07

Defendant Lewis Family Farm, Inc., through its attorneys, Nixon Peabody LLP and Brennan & White, LLP, for its Answer to Plaintiffs' Verified Complaint states upon information and belief as follows:

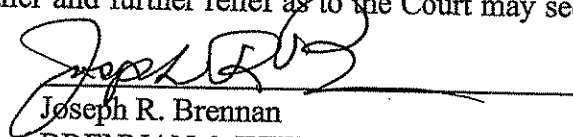
1. Admits the allegations contained in paragraph 1.
2. Admits the allegations contained in paragraph 2.
3. Admits the allegations contained in paragraph 3.
4. Admits the allegations contained in paragraph 4.
5. Denies knowledge or information to admit or deny the allegations contained in paragraph 5, but understands them to be true.
6. Denies knowledge or information to admit or deny the allegations contained in paragraph 6, but understands them to be true.
7. Admits the allegations contained in paragraph 7.
8. Denies knowledge or information to admit or deny the allegations contained in paragraph 8, but understands them to be true.

9. Denies knowledge and information sufficient to form a belief as to the truth of the allegations contained in paragraph 9, and therefore denies same.
10. Admits the allegations contained in paragraph 10.
11. Denies knowledge and information sufficient to form a belief as to the truth of the allegations contained in paragraph 11, and therefore denies same.
12. Denies the allegations contained in paragraph 12.
13. Denies the allegations contained in paragraph 13.
14. Denies the allegations contained in paragraph 14.
15. Denies the allegations contained in paragraph 15.
16. Denies the allegations contained in paragraph 16.
17. Denies the allegations contained in paragraph 17.
18. Denies the allegations contained in paragraph 18.
19. Denies the allegations contained in paragraph 19.
20. Denies the allegations contained in paragraph 20.
21. Denies the allegations contained in paragraph 21.
22. Denies the allegations contained in paragraph 22.
23. Denies the allegations contained in paragraph 23.
24. Denies the allegations contained in paragraph 24.
25. Denies the allegations contained in paragraph 25.
26. Denies the allegations contained in paragraph 26.
27. Denies the allegations contained in paragraph 27.
28. Denies the allegations contained in paragraph 28.
29. Denies the allegations contained in paragraph 29.

30. Denies the allegations contained in paragraph 30.
31. Denies the allegations contained in paragraph 31.
32. Denies the allegations contained in paragraph 32.
33. Denies the allegations contained in paragraph 33.
34. Denies the allegations contained in paragraph 34.
35. Denies the allegations contained in paragraph 35.
36. Denies the allegations contained in paragraph 36.
37. Denies the allegations contained in paragraph 37.
38. Denies the allegations contained in paragraph 38.
39. Denies the allegations contained in paragraph 39.
40. Denies the allegations contained in paragraph 40.
41. Denies the allegations contained in paragraph 41.
42. Repeats and realleges the responses given to paragraphs 1 through 41.
43. Denies the allegations contained in paragraph 43.
44. Denies the allegations contained in paragraph 44.
45. Denies the allegations contained in paragraph 45.
46. Denies the allegations contained in paragraph 46.
47. Denies the allegations contained in paragraph 47.
48. Denies the allegations contained in paragraph 48.
49. Denies the allegations contained in paragraph 49.
50. Denies the allegations contained in paragraph 50.
51. Denies the allegations contained in paragraph 51.
52. Denies the allegations contained in paragraph 52.

- 53. Denies the allegations contained in paragraph 53.
- 54. Denies the allegations contained in paragraph 54.
- 55. Denies the allegations contained in paragraph 55.
- 56. Denies the allegations contained in paragraph 56.
- 57. Denies the allegations contained in paragraph 57.
- 58. Denies the allegations contained in paragraph 58.
- 59. Denies the allegations contained in paragraph 59.
- 60. Denies the allegations contained in paragraph 60.
- 61. Denies the allegations contained in paragraph 61.
- 62. Repeats and realleges the responses given to paragraphs 1 through 61.
- 63. Denies the allegations contained in paragraph 63.
- 64. Denies the allegations contained in paragraph 64.
- 65. Repeats and realleges the responses given to paragraphs 1 through 64.
- 66. Denies the allegations contained in paragraph 66.
- 67. Denies the allegations contained in paragraph 67.
- 68. Denies the allegations contained in paragraph 68.

WHEREFORE, the defendant, Lewis Family Farm, Inc., demands judgment dismissing plaintiffs' complaint and each and every cause of action set forth therein, together with costs and disbursements, and along with such other and further relief as to the Court may seem just and proper.



Joseph R. Brennan
BRENNAN & WHITE, LLP
Attorneys for Defendant
163 Haviland Road
Queensbury, NY 12804-8702
Tel. No. (518) 793-3424

Nixon Peabody, LLP
Clinton Square, P.O. Box 31051
Rochester, NY 14603-1051
Tel. No. (585) 263-1000

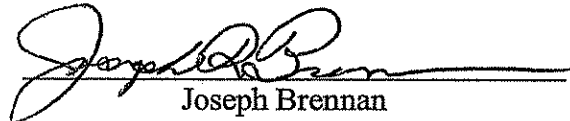
TO: Darrel W. Harp, Esq.
Attorneys for Plaintiffs
12 Rolling Brook Drive
Clifton park, New York 12065

VERIFICATION

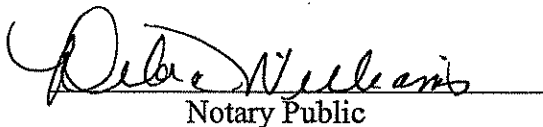
STATE OF NEW YORK)
) SS:
COUNTY OF WARREN)

JOSEPH BRENNAN, being duly sworn, deposes and says that Deponent is one of the attorney for defendant Lewis Family Farm and has read the foregoing answer and knows the contents thereof, and that the same is true to Deponent's own knowledge, except as to the matters stated to be true upon information and belief, and as to these matters Deponent believes it to be true.

Deponent further says that he is authorized to verify the foregoing answer pursuant to CPLR 3020(d), and that the reason why the verification is not made by the defendant is that the defendant does not conduct business in Warren County, New York, where Deponent has his office for the practice of law.


Joseph Brennan

Sworn to before me this
7th day of March, 2007.


Notary Public

DEBRA WILLIAMS
Notary Public, State of New York
Warren County #4972116
Commission Expires 09/17/20 10