

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

PENNY BENTON,)
)
 Plaintiff,)
) Cause No. 1:10-cv-918-LJM-DML
 v.)
)
 HAMILTON EAST PUBLIC LIBRARY,)
)
 Defendant.)

ANSWER TO PLAINTIFF'S COMPLAINT

The Defendant, Hamilton East Public Library ("Library"), by counsel for its Answer to Plaintiff's Complaint, alleges and states as follows:

1. The Defendant, Library, is without sufficient information to either admit or deny the allegations contained within Plaintiff's Basis of Claim and Jurisdiction, contained within rhetorical paragraph 1 of rhetorical Section II of the Employment Discrimination Complaint.
2. The Defendant, Library, is without sufficient information to either admit or deny the allegations contained within Plaintiff's rhetorical paragraph 2 of rhetorical Section II of the Employment Discrimination Complaint.
3. The Defendant, Library, has not received a copy of the required attachment to Plaintiff's Complaint, specifically the *Charge of Discrimination*, referenced in rhetorical paragraph 2 of rhetorical Section II of the Employment Discrimination Complaint.

4. The Defendant, Library, is without sufficient information to either admit or deny the allegations contained within Plaintiff's rhetorical paragraph 3 of rhetorical Section II of the Employment Discrimination Complaint.
5. The Defendant, Library, has not received a copy of the required attachment to Plaintiff's Complaint, specifically the *Notice of Right to Sue*, referenced in rhetorical paragraph 3 of rhetorical Section II of the Employment Discrimination Complaint.
6. The Defendant, Library, is without sufficient information to either admit or deny the allegations contained within Plaintiff's Statement of Legal Claim, contained within rhetorical Section III of the Employment Discrimination Complaint.
7. The Defendant, Library, is without sufficient information to either admit or deny the allegations contained within Plaintiff's Facts In Support of Complaint, contained within rhetorical Section IV of the Employment Discrimination Complaint.
8. The Defendant, Library, is without sufficient information to either admit or deny any allegations pertaining to Plaintiff's alleged injuries and damages contained within Plaintiff's Prayer for Relief, contained within rhetorical Section V of the Employment Discrimination Complaint.

WHEREFORE, the Defendant, Library, prays that Plaintiff take nothing by way of her Complaint, that the Court enter judgment in favor of the Hamilton East Public Library and against Plaintiff, that the Hamilton East Public Library be awarded its costs incurred in defending this action and for all other relief just and appropriate in the premises.

Respectfully Submitted,

s/Jennifer L. Williams

Jennifer L. Williams, #25365-29-A
CHURCH, CHURCH, HITTLE & ANTRIM
Attorney for Defendant

AFFIRMATIVE DEFENSES

Subject to further discovery, the Defendant, Library, asserts the following affirmative defenses:

1. The Plaintiff fails to state a claim upon which relief may be granted with regard to the Hamilton East Public Library.

WHEREFORE, the Hamilton East Public Library respectfully prays that the Plaintiff take nothing by way of her Complaint, that the Hamilton East Public Library be awarded its costs incurred in defending this action, and for all other relief just and proper in the premises.

Respectfully Submitted,

s/Jennifer L. Williams

Jennifer L. Williams, #25365-29-A
CHURCH, CHURCH, HITTLE & ANTRIM
Attorney for Defendant

CHURCH, CHURCH, HITTLE & ANTRIM
10765 Lantern Road
Suite 201
Fishers, IN 46038

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served upon the Plaintiff, Penny Benton, by placing a copy of the same in the United States Mail, first class, postage pre-paid, this 19th day of August, 2010, addressed as follows:

Penny Benton
12241 Doncaster Court
Fishers, IN 46037

s/Jennifer L. Williams
Jennifer L. Williams, #25365-29-A

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