

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

AMERICAN NATIONAL PROPERTY AND)
CASUALTY COMPANY,)
)
Plaintiff, Counterclaim-Defendant,)
)
v.)
)
CAROL ANN STUTTE; LAURA JEAN)
STUTTE,)
)
Defendants, Counterclaim-Plaintiffs,)
)
and)
)
CHASE HOME FINANCE, LLC,)
)
Defendant.)

CIVIL ACTION NO. 3:11-CV-219

**ANSWER OF DEFENDANT CHASE HOME FINANCE, LLC -- OR MORE
CORRECTLY STATED, ANSWER OF JP MORGAN CHASE BANK N.A. AS
SUCCESSOR BY MERGER TO CHASE HOME FINANCE, LLC**

Defendant Chase Home Finance, LLC (or more correctly stated JP Morgan Chase Bank N.A. as successor by merger to Chase Home Finance, LLC) (“Chase”), by and through its attorneys, hereby answer the Complaint for Declaratory Judgment of Plaintiff American National Property and Casualty Company (“American National”).

I. Answer of Chase to American National’s Complaint for Declaratory Judgment

Chase answers American National’s Complaint for Declaratory Judgment as follows:

1. Chase lacks sufficient knowledge or information to respond to the allegations of ¶1 of American National’s Complaint.
2. Admitted except that a) Chase is more correctly referred to as JP Morgan Chase Bank, N.A. as successor by merger to Chase Home Finance, LLC and b) the mortgagee listed on

American National Policy #41-H-V66-965-7 (“Policy”) is “Chase Home Finance, LLC, its successor and/or assigns.”

3. Chase lack sufficient knowledge or information to respond to the allegations of ¶3 of American National’s Complaint.

3.¹ Chase does not contest subject matter jurisdiction and venue.

4. Paragraph 4 of American National’s Complaint makes no allegation as against Chase and thus no response is required. Moreover, Chase lacks sufficient knowledge or information to respond to the allegations of ¶4 of American National’s Complaint.

5. Paragraph 5 of American National’s Complaint makes no allegations as against Chase and thus no response is required. Moreover, Chase lacks sufficient knowledge or information to respond to the allegations of ¶5 of American National’s Complaint.

6. Paragraph 6 of American National’s Complaint makes no allegations as against Chase and thus no response is required. Moreover, Chase lacks sufficient knowledge or information to respond to the allegations of ¶6 of American National’s Complaint.

7. Chase responds to ¶7 of American National’s Complaint by stating that it sets forth legal conclusions and thus requires no response. By way of further response, Chase asserts that as the listed mortgagee, and on behalf of its successors or assigns, it has rights under the Policy that are not affected by the conduct alleged against the other Defendants.

8. Chase responds to ¶8 of American National’s Complaint by stating that it does have an interest in the subject matter of the litigation to the extent that Chase be paid the amount of the outstanding mortgage, plus applicable interest, fees, charges, and expenses and costs from the Policy proceeds.

¹ Because the Complaint inadvertently contains two paragraphs numbered “3,” the Answer also contains two paragraphs “3.”

9. Paragraph 9 of American National Complaint makes no allegations as against Chase and thus no response is required. Moreover, Chase lacks sufficient knowledge or information to respond to the allegations of ¶9 of American National's Complaint.

10. Chase responds to ¶10 of American National's Complaint by stating that the Court should declare Chase's rights as mortgagee under the Policy, including the right to be awarded the outstanding amount owed on the mortgage, plus applicable interest, fees, charges, costs and expenses from the Policy proceeds.

Having responded to American National's Complaint, Chase would request a declaration of its rights to and under the Policy consistent with the positions taken, and requests made, herein and reserves the ability to amend this Answer and to assert affirmative defenses as necessitated by the progression of this Action.

Respectfully submitted

s/ J. Graham Matherne
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JP Morgan Chase Bank, N.A. as successor
by merger to Chase Home Finance, LLC

CERTIFICATE OF SERVICE

I hereby certify that on November 29, 2011, a true and correct copy of the foregoing was filed electronically with the Court using the CM/ECF filing system which will automatically send email notification of such filing to the follow attorneys of record:

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s/ J. Graham Matherne

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