

A39

VERIFIED ANSWER--JOHN B. GARRITY, JR..- APRIL 30, 1980

CA39-A407

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

GEORGE SASSOWER,

Plaintiff,

VERIFIED ANSWER

-against-

APPELLATE DIVISION OF THE SUPREME COURT,
SECOND JUDICIAL DEPARTMENT,

INDEX NO. 1979/21226

Defendant.

Defendant, by its attorney, ROBERT ABRAMS, Attorney General of the State of New York, by JOHN B. GARRITY, JR., Assistant Attorney General of Counsel, as and for its answer to the complaint herein, alleges:

1. Denies each and every allegation of the complaint except Paragraph 2 thereof.

AS AND FOR A FIRST COMPLETE AND SEPARATE DEFENSE:

2. The complaint fails to state a cause of action.

AS AND FOR A SECOND COMPLETE AND SEPARATE DEFENSE:

3. The complaint is time barred, as the action was not commenced within one year of the occurrence complained of.

AS AND FOR A THIRD COMPLETE AND SEPARATE DEFENSE:

4. The defendant is immune from suit.

AS AND FOR A FOURTH COMPLETE AND SEPARATE DEFENSE:

5. The defendant is clothed with absolute privilege from suit for the actions complained of.

A40

AS AND FOR A FIFTH COMPLETE AND SEPARATE DEFENSE:

6. The plaintiff is estopped and barred from maintaining the instant action by application of the principle of collateral estoppel.

AS AND FOR A SIXTH COMPLETE AND SEPARATE DEFENSE:

7. The plaintiff is estopped and barred from maintaining the instant action by application of the principle of res judicata.

WHEREFORE, defendant demands judgment dismissing the complaint in its entirety.

DATED: Poughkeepsie, New York
April 30, 1980

ROBERT ABRAMS
Attorney General
Attorney for Defendant
Office & P. O. Address
40 Garden Street
Poughkeepsie, New York 12601
Telephone: (914) 452-7760

TO: GEORGE SASSOWER, ESQ.
Attorney for Plaintiff, Pro Se
Office & P. O. Address
75 Wykagyl Station
New Rochelle, New York 10804