

IN THE CIRCUIT COURT OF LITTLE RIVER COUNTY, ARKANSAS

CORY HODGE

PLAINTIFF

V.

NO. CIV 00-27

CONNECTICUT VALLEY ARMS,  
WAL-MART STORES, INC.,  
DIKAR, S. COOP. LTDA and  
GENE SEARS SUPPLY COMPANY

DEFENDANTS

**ANSWER ON BEHALF OF  
CONNECTICUT VALLEY ARMS, INC.**

Comes the separate Defendant, Connecticut Valley Arms, Inc. ("CVA"), by its attorneys, Barber, McCaskill, Jones & Hale, P.A., and for its Answer to the Plaintiff's original Complaint, states:

1. All allegations not hereinafter specifically admitted are specifically denied.
2. This Defendant is without information with which to either admit or deny the residency of the Plaintiff, and therefore denies the allegations contained in paragraph one (I).
3. In response to the allegations contained in paragraph two (II), it is admitted that CVA is a foreign corporation. The balance of the allegations contained in paragraph two (II) are denied.
4. In response to the allegations contained in paragraph three (III), this Defendant is without information with which to either admit or deny that the Plaintiff is a resident of the State of Arkansas. Therefore, these allegations are denied. This Defendant has had no opportunity to conduct discovery and only a limited opportunity to investigate

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ON 27TH DAY June 2000  
AT 4:00 O'CLOCK P M.

DEANNA M BISHOP

Deputy

this matter and is without information with which to admit or deny the balance of the allegations contained in paragraph three (III) and therefore denies same.

5. The allegations contained in paragraph four (IV) are denied.

6. This Defendant has had no opportunity to conduct discovery and only a limited opportunity to investigate this matter. Therefore, the allegations contained in paragraphs five (V), six (VI), seven (VII), eight (VIII), nine (IX), ten (X) and eleven (XI) are denied.

7. This Defendant has had no opportunity to conduct discovery and only a limited opportunity to investigate this matter. Therefore, it affirmatively pleads that both the form and service of process were defective, that this court lacks both personal and subject matter jurisdiction and that venue is improper.

8. This Defendant affirmatively pleads all the defenses available under the Arkansas Products Liability Act.

9. This Defendant affirmatively pleads the doctrine of comparative fault, stating that the actions of the Plaintiff were the sole proximate cause of any injuries he may have suffered or, in the alternative that his acts of negligence were sufficiently great to bar recovery from this Defendant or, in the alternative that his negligence should diminish his recovery. Specifically, this Defendant requests a comparison of fault as to all parties.

10. This Defendant affirmatively pleads that the Complaint fails to state either facts or a claim upon which relief may be granted.

WHEREFORE, PREMISES CONSIDERED, separate Defendant, Connecticut Valley Arms, Inc., prays that the Complaint be dismissed, for its costs, attorney's fees and all other just and proper relief to which it may be entitled.

Respectfully submitted,

BARBER, McCASKILL, JONES & HALE, P.A.  
Attorneys for Defendants  
2700 Regions Center  
400 W. Capitol Avenue  
Little Rock, AR 72201  
(501) 372-6175

By: \_\_\_\_\_

Glenn W. Jones  
Scott M. Strauss

AR BIN 63028  
AR BIN 92009

**CERTIFICATE OF SERVICE**

I, Scott M. Strauss, do hereby state on oath that I have mailed a true and correct copy of the above and foregoing pleading, postage prepaid, this 28<sup>th</sup> day of June, 2000, to the following:

Mr. W. David Carter  
Mercy, Carter & Elliott, LLP  
1730 Galleria Oaks Drive  
Texarkana, TX 75503

\_\_\_\_\_  
Scott M. Strauss