

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK**

[DEBT BUYER],)
) No. [INDEX NO.]
Plaintiff,)
) ANSWER
v.)
)
[CLIENT],)
)
Defendant.)

Defendant, [CLIENT], by her attorney, in answer to the Complaint, upon information and belief, alleges:

1. Defendant denies the allegations set forth in paragraph 1 of the Complaint, but admits that she resides in New York County.

2. Defendant denies each and every allegation set forth in paragraphs 2, 3, 4, 5, and 6 of the Complaint.

As and for a First Affirmative Defense

3. All causes of action alleged in the Complaint are barred by doctrine of laches.

As and for a Second Affirmative Defense

4. There was no execution by Defendant or by her authority of any legal instrument or writing upon which Plaintiff's claims in this case are based.

As and for a Third Affirmative Defense

5. The instrument or writing upon which the Plaintiff's claims in this case are based does not satisfy the statute of frauds.

As and for a Fourth Affirmative Defense

6. The Defendant is not indebted to the Plaintiff.

As and for a Fifth Affirmative Defense

7. The Defendant has no contractual relationship with the Plaintiff.

As and for a Sixth Affirmative Defense

8. The Plaintiff lacks privity with the Defendant.

As and for a Seventh Affirmative Defense

9. The Plaintiff did not purchase any quantum meruit or unjust enrichment claims against the Defendant.

As and for a Eighth Affirmative Defense

10. The Plaintiff lacks legal capacity or standing to sue Defendant.

As and for a Ninth Affirmative Defense

11. The Plaintiff lacks legal capacity or standing to sue Defendant because the Plaintiff is not licensed as a “debt collector” by the City of New York.

As and for a Tenth Affirmative Defense

12. The Plaintiff lacks legal capacity or standing to sue Defendant because it is a foreign limited-liability company that is not authorized to do business in New York and has not complied with the publication requirements for foreign LLCs required by the New York Limited Liability Company Law.

As and for a Eleventh Affirmative Defense

13. That the alleged loans which are the subject of this action were usurious in that the effective rate of interest is in excess of the legal limit.

As and for a Twelfth Affirmative Defense

14. All causes of action alleged in the Complaint are barred by the applicable statutes of limitation.

As and for a Thirteenth Affirmative Defense

15. All causes of action alleged in the Complaint are barred by the defense of unconscionability.

As and for a Fourteenth Affirmative Defense

16. Plaintiff is barred from any recovery herein by the doctrine of unclean hands.

As and for a Fifteenth Affirmative Defense

17. The Court lacks jurisdiction over the person of Defendant.

As and for a Sixteenth Affirmative Defense

18. The Court lacks jurisdiction over the person of Defendant because the Summons and Complaint was not served upon her in accordance with the requirements of the CPLR.

WHEREFORE, Defendant [CLIENT] asks that this Court enter judgment dismissing the Complaint of the Plaintiff [DEBT BUYER] in its entirety, together with the costs and disbursements of this action, together with such other and further relief as to this Court may seem just and proper.

Dated: New York, New York
[DATE]

Yours, etc.,

[NAME OF CLIENT'S ATTORNEY]
Attorney for Defendant
[FIRM NAME]
[ADDRESS]
[TELEPHONE NUMBER]

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK**

[DEBT BUYER],)
) No. [INDEX NUMBER]
Plaintiff,)
) Affirmation of Service
v.)
)
[CLIENT],)
)
Defendant.)

I, [ATTORNEY], an attorney duly licensed to practice law in the State of New York, affirm as follows under penalties of perjury:

1. I am not a party to the action, am over 18 years of age and have a business address at [ADDRESS].

2. On [DATE], I served the accompanying Defendant's First Notice of Demand for Production of Documents for Discovery and Inspection, by faxing a copy and mailing a copy by regular first class mail to each of the following persons at the last known address and fax number set forth after each name below:

[DEBT BUYER'S ATTORNEY]
[ADDRESS]
Fax: [FAX NUMBER]

Dated: New York, New York
[DATE]

[CLIENT'S ATTORNEY]