

IN THE CIRCUIT COURT OF THE
SEVENTEETH JUDICIAL CIRCUIT IN
AND FOR BROWARD COUNTY
FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 06-016864 CACE 09

PHILIP M. MARTIN,

Plaintiff,

v.

SANDRA A. TEAGUE,

Defendant,
_____ /

DEFENDANT'S AMENDED AFFIRMATIVE DEFENSES

Defendant, Sandra A. Teague, by and through undersigned counsel, hereby files her amended affirmative defenses to the Plaintiff Complaint as follows:

1. As her first Affirmative Defense, Defendant states that any statements made were her personal opinion and thus not actionable.
2. As her second Affirmative Defense, Defendant states that any statements made were protected by privilege and thus not actionable.
3. As her third Affirmative Defense, Defendant states that any statements made are the truth and thus not actionable.
4. As her fourth Affirmative Defense, Defendant states that any statements made were made in good faith and thus not actionable.
5. As her fifth Affirmative Defense, Defendant states that any statements made were fair

comment and thus not actionable.

6. As her sixth Affirmative Defense, Defendant states that any statements made were made with good motive for the improvement of the sport and thus not actionable.

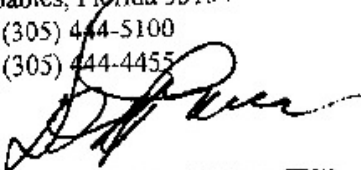
7. As her seventh Affirmative Defense, Defendant states that the Plaintiff himself is guilty of contributory or comparative negligent in his actions which contributed or proximately caused any damages he claims.

8. As her eighth Affirmative Defense, Defendant states that the Plaintiff improperly, illegally, or fraudulently received his provisional judging status from the AKC in that he did not meet all the requirements for a provisionally approved judge.

CERTIFICATE OF SERVICE

I HEARBY CERTIFY that a true and correct copy of the foregoing was mailed this 7th day of February, 2007 to William G. McCormick, Esq., Ruden, McClosky, Smith, Schuster & Russell, P.A., 200 E. Broward Blvd., Fifteenth Floor, Fort Lauderdale, FL 33301.

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BY 
DENISE V. POWERS, ESQ.
Florida Bar No: 365009

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Plaintiff,

v.

SANDRA A. TEAGUE,

Defendant.

DEFENDANT'S MOTION TO STRIKE

Defendant, Sandra A. Teague, by and through undersigned counsel, hereby moves this Court for an order striking Plaintiff's claim for attorneys' fees and as grounds would show the Court:

1. Paragraph 44 of the complaint makes reference to the Plaintiff's retention of counsel.
2. Plaintiff has not pled any basis for an award of attorneys' fees which under Florida law must be based on statute or contract.
3. Plaintiff's cause of action is based on common law and does not support such an award.

WHEREFORE Defendant, SANDRA A. TEAGUE, respectfully requests that this Court strike any claim for attorneys' fees from the complaint.

CERTIFICATE OF SERVICE

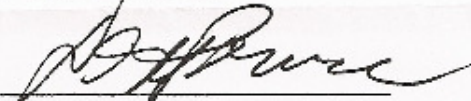
I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 7th day of February, 2007 to William G. McCormick, Esq., Ruden, McClosky, Smith, Schuster & Russell,

Martin v. Teague,
Case No: 06-016864 CACE 99

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