

Rona Zucker Kaplan (ID # 030001980)
 Cooper Levenson, P.A.
 1125 Atlantic Avenue
 Atlantic City, New Jersey 08401
 (609) 572-7464
 (609) 572-7465(fax)
rkaplan@cooperlevenson.com
 File No.: 45298-1
 Attorney for Defendants

JOHN FITZGERALD KENNEDY and HILDA TOBIAS KENNEDY, Husband and Wife,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
	:	ATLANTIC COUNTY
	:	
Plaintiffs	:	DOCKET NO.: ATL-L-3744-21
v.	:	
	:	CIVIL ACTION
COOPER LEVENSON & RANDOLPH C. LAFFERTY	:	ANSWER TO AMENDED COMPLAINT
	:	
Defendant	:	

Defendants, by way of answer to the Amended Complaint, hereby say

1. Defendant is without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.
2. Defendant is without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.
3. Defendant is without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.
4. This page was not provided.
5. This page was not provided.
6. This page was not provided.
7. Denied.
8. Denied.

9. Denied.

10. Denied.

11. Denied.

12. Defendants do not admit to paraphrasing. The Police Report speaks for itself.

13. Defendants are without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.

14. Defendants are without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.

15. Defendants are without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.

16. Defendants are without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.

17. Denied.

18. Denied.

19. Denied.

20. Denied.

21. Denied.

22. Denied.

23. Denied.

24. Denied.

25. Denied.

26. Denied.

27. Denied.

28. Denied.

29. Denied.

30. Denied.

31. Denied.

32. Denied.

33. Denied.

34. Denied.

35. Denied.

36. Denied.

37. Defendants do not admit to paraphrasing or selections of portions of the transcript out of context. The transcript speaks for itself. The remaining allegations are denied

38. Defendants do not admit to paraphrasing or selections of portions of the transcript out of context. The transcript speaks for itself. The remaining allegations are denied.

39. Denied.

40. Denied.

41. Denied.

42. Denied.

43. Denied.

44. Denied.

45. Denied.

46. Defendants do not admit to paraphrasing or selections of portions of the jury charge out of context. The transcript speaks for itself. The remaining allegations are denied.

47. Denied.

48. sic

49. Defendants do not admit to paraphrasing or selections of portions of the transcript out of context. The transcript speaks for itself. The remaining allegations are denied.

50. Denied.

51. Defendants do not admit to paraphrasing or selections of portions of the transcript out of context. The transcript speaks for itself. The remaining allegations are denied.

52. Defendants do not admit to paraphrasing or selections of portions of the transcript out of context. The transcript speaks for itself. The remaining allegations are denied.

53. Denied.

54. It is denied that R. Lafferty acted improperly.

55. Denied.

56. Denied.

57. Defendants are without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.

58. Defendants are without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.

59. Defendants are without sufficient knowledge to form a belief as to the truth of the matter and, therefore, the allegation is denied and Plaintiffs are left to their proofs.

60. It is denied that “the Judge blew up his case.” The remaining allegations are denied.

61. This does not require an answer.

62. Denied.

63. Denied that it was an error.

64. This is a question of law, for which no answer is required.

65. Denied.

66. Defendants do not admit to paraphrasing or selections of portions of the transcript out of context. The transcript speaks for itself. The remaining allegations are denied.

67. This is a question of law, for which no answer is required.

68. This is a question of law, for which no answer is required.

69. Denied.

AS AND FOR A FIRST CAUSE OF ACTION.

70. Defendants repeat the prior answers.

Sic. Denied.

AS AND FOR THE SECOND CAUSE OF ACTION.

71. Defendants repeat the prior answers.

Sic. Denied.

Wherefore, DefendantS demand judgment in their favor, costs of suit, counsel fees and such other relief as is just and reasonable.

AFFIRMATIVE DEFENSES

1. The Plaintiff failed to state a claim upon which relief may be granted.
2. The Plaintiff breached the contract.
3. The claims of the Plaintiff are barred by the Parol Evidence Rule.
4. The Plaintiff's performance was substandard.
5. The claims of the Plaintiff are barred by the doctrine of collateral estoppel and res judicata.
6. The claims of the Plaintiff are barred because this court does not have jurisdiction.
7. The claims of the Plaintiff are barred by the negligence of its agents.
8. The claims of the Plaintiff are barred by the doctrine of legal and/or equitable fraud in the inducement.

9. The claims of the Plaintiff are barred by the doctrine of mutual and/or unilateral mistake.

10. The claims of the Plaintiff are barred by the doctrines of equitable and promissory estoppel.

11. The claims of the Plaintiff are barred because they are in violation of public policy.

12. The claims of the Plaintiff are barred because it released the defendant from all claims.

13. The claims of the Plaintiff are barred by the doctrine of collateral estoppel and res judicata.

14. The claims of the Plaintiff are barred by the Statute of Limitations.

15. The claims of the Plaintiff are barred by the Statute of Frauds.

16. The claims of the Plaintiff are barred by the entire controversy doctrine.

17. Plaintiff's complaint is frivolous and defendant reserves the right to move for an award of attorneys' fees and litigation costs.

18. The claims of the Plaintiff are barred in the absence of consideration.

19. The claims of the Plaintiff are barred because of accord and satisfaction, arbitration and award, contributory negligence, discharge in bankruptcy, duress, illegality, injury by fellow servant, laches, license, payment, and waiver.

20. Plaintiff's claims are barred by the doctrines of frustration of purpose and impossibility.

21. If Plaintiff's claims are not barred, defendant is entitled to quantum meruit payment for the services rendered.

COOPER LEVENSON, P.A.



By: _____
Rona Zucker Kaplan,
Attorneys for Defendants

Dated: March 8, 2022

CERTIFICATION PURSUANT TO R. 4:5-1

Rona Zucker Kaplan, Esquire, pursuant to R. 1:4-4(b), certifies as follows:

1. I am an attorney admitted to practice law in the State of New Jersey.
2. The matters in controversy are not the subject of any other action pending in any Court or of a pending arbitration proceeding, nor are any other actions or arbitration proceedings contemplated.
3. At this time, there are no other parties who should be joined in this action.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

COOPER LEVENSON, P.A.



By: _____
Rona Zucker Kaplan,
Attorneys for Defendants

Dated: March 8, 2022

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, Rona Zucker Kaplan, Esquire, is hereby designated as trial counsel in the above-captioned litigation.

COOPER LEVENSON, P.A.



By: _____
Rona Zucker Kaplan,
Attorneys for Defendants

Dated: March 8, 2022

CERTIFICATION PURSUANT TO R. 1:38-7(b)

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(b).



By: _____
Rona Zucker Kaplan,
Attorneys for Defendant

Dated: March 8, 2022

CERTIFICATION OF FILING AND SERVICE

I hereby certify that a copy of the within pleading was served upon all parties via electronic filing within the time prescribed by R. 4:6-1.



By: _____
Rona Zucker Kaplan, Esq.

Dated: March 8, 2022