

Gerry P. Fagan
Christopher T. Sweeney
Jordan W. FitzGerald
MOULTON BELLINGHAM PC
27 North 27th Street, Suite 1900
P.O. Box 2559
Billings, Montana 59103-2559
Telephone: (406) 248-7731
Fax: (406) 248-7889
Gerry.Fagan@moultonbellingham.com
Christopher.Sweeney@moultonbellingham.com
Jordan.FitzGerald@moultonbellingham.com

*Attorneys for Defendant Watch Tower Bible and Tract Society of
Pennsylvania*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

TRACY CAEKAERT and CAMILLIA
MAPLEY,

Plaintiffs,

-VS-

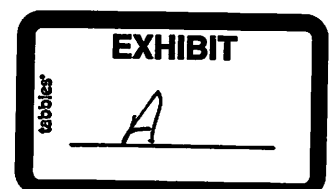
WATCHTOWER BIBLE AND TRACT
SOCIETY OF NEW YORK, INC.,
WATCH TOWER BIBLE AND TRACT
SOCIETY OF PENNSYLVANIA, and
BRUCE MAPLEY SR.,

Defendants.

WATCHTOWER BIBLE AND TRACT
SOCIETY OF NEW YORK, INC., and
WATCH TOWER BIBLE AND TRACT
SOCIETY OF PENNSYLVANIA,

Case No. CV-20-00052-SPW-
TJC

**DEFENDANT WATCH
TOWER BIBLE AND TRACT
SOCIETY OF
PENNSYLVANIA'S
AMENDED ANSWER TO
PLAINTIFFS' FIRST
AMENDED COMPLAINT,
CROSS-CLAIM, AND
DEMAND FOR JURY TRIAL**



Cross-Claimants,

-vs-

BRUCE MAPLEY SR.,

Cross-Defendant.

COMES NOW Defendant Watch Tower Bible and Tract Society of Pennsylvania (“WTPA”), by and through its attorneys, and submits this amendment to its Answer to First Amended Complaint, Crossclaim, and Demand for Jury Trial (Doc. 100) (“WTPA’s Answer”). This amendment supplements and incorporates WTPA’s Answer, and therefore the entire contents of WTPA’s Answer are not set forth below. WTPA maintains its answer to the allegations, its cross-claim against Bruce Mapley, Sr., and its affirmative defenses set forth in WTPA’s Answer. The purpose of this amendment is to assert the defense as provided in Mont. Code Ann. § 27-1-703(6). The amendment is as follows:

AFFIRMATIVE DEFENSES

28. On November 16, 2022, plaintiffs filed a notice of dismissal of all claims against defendant Bruce Mapley, Sr. (Doc. 175). On November 16, 2022, the Court entered an order dismissing all of plaintiffs’ claims against Mapley, Sr. (Doc. 176). That order did not affect WTPA’s pleaded cross-claim against Mapley, Sr. Plaintiff Camillia Mapley was deposed on November 29, 2022, and was instructed

by her counsel not to answer questions regarding whether she settled with Mapley, Sr. or released him from liability.

To the extent that plaintiffs have settled with Mapley, Sr., or released Mapley, Sr. from ability, and pursuant to Mont. Code Ann. § 27-1-703(6)(f), WTPA gives notice to plaintiffs, Mapley, Sr., and to all other parties in this matter that WTPA is asserting as an affirmative defense that Mapley, Sr. is at fault and that his negligence caused, in whole or in part, plaintiffs' alleged damages and injuries. A copy of this pleading will be mailed to Mapley, Sr. by certified mail, return receipt requested as follows:

Bruce Mapley, Sr.
3905 Caylan Cove
Birmingham, Alabama 35215

DATED this ____ day of _____, 202____.

MOULTON BELLINGHAM PC

By /s/ Christopher T. Sweeney
GERRY P. FAGAN
CHRISTOPHER T. SWEENEY
JORDAN W. FITZGERALD

*Attorneys for Watch Tower Bible and
Tract Society of Pennsylvania*