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*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.

Pursuant to the Court's Order (Doc. 221), defendant Watch Tower Bible and Tract Society of Pennsylvania hereby submits its amended answer to Plaintiffs' First Amended Complaint and Demand for Jury Trial (Doc. 22). This amendment supplements and incorporates WTPA's Answer (Doc. 100), 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. The Court has determined that plaintiffs have released Bruce Mapley, Sr. from liability for their claims. (Doc. 221). Pursuant to Mont. Code Ann. § 27-1-703(6), WTPA asserts as a defense that plaintiffs' alleged damages were caused in full or in part by Bruce Mapley, Sr. Pursuant to Mont. Code Ann. § 27-1-703(6)(d), plaintiffs' release of Bruce Mapley, Sr. constitutes an assumption of liability, if any, allocated to Bruce Mapley, Sr., and plaintiffs' claims against the remaining

defendants is reduced by the percentage of Bruce Mapley, Sr.'s equitable share of the obligation, as determined by Mont. Code Ann. § 27-1-703(4).

Pursuant to Mont. Code Ann. § 27-1-703(6)(f) and (g), WTPA gives notice to the plaintiffs, Bruce Mapley, Sr., and all other parties in this matter that WTPA is asserting the affirmative defense in this action alleging that Bruce Mapley, Sr. is at fault in this matter and that his negligence caused, in whole or in part, plaintiffs' alleged damages. A copy of this pleading will be mailed to Bruce Mapley, Sr. at his last known address by certified mail, return receipt requested as follows:

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

DATED this 26th day of April, 2023.

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*

CERTIFICATE OF SERVICE

This is to certify that on this 26th day of April, 2023, a copy of the foregoing was served upon the following by certified mail, return receipt requested:

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

/s/ Christopher T. Sweeney

4881-0315-1169, v. 3