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5 IN THE SUPERIOR COURT OF THE STATE OF ALASKA
6 THIRD JUDICIAL DISTRICT, AT ANCHORAGE

7 ALASKA BUILDING, INC., an Alaska
corporation,

8 Plaintiff,

9 v.

10 716 WEST FOURTH AVENUE LLC,
11 KOONCE PFEFFER BETTIS, INC., d/b/a
12 KP ARCHITECTS, PFEFFER
13 DEVELOPMENT, LLC, LEGISLATIVE
AFFAIRS AGENCY, and CRITERION
GENERAL, INC.,

14 Defendants.

NO. 3AN-15-05969CI

15 **DEFENDANT CRITERION GENERAL, INC.'S ANSWER**
16 **AND AFFIRMATIVE DEFENSES TO PLAINTIFF'S COMPLAINT**

17 Defendant Criterion General, Inc., by and through its attorneys, Scheer & Zehnder,
18 LLP, submits its Answer and Affirmative Defenses to plaintiff's Complaint by admitting,
19 denying, and alleging as follows:

20 **ANSWER**

21
22 1. Defendant objects that the allegations in paragraph 1 of the Complaint call for
23 a legal conclusion. Otherwise, defendant admits that plaintiff is an Alaska corporation which
24 filed a biennial report in 2014, and as of the date of this pleading is in good standing with the
25 State of Alaska Department of Commerce.
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DEFENDANT CRITERION GENERAL, INC.'S ANSWER AND
AFFIRMATIVE DEFENSES TO PLAINTIFF'S COMPLAINT – Page 1

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1 2. Paragraph 2 of the Complaint is not directed to this answering defendant, and
2 therefore no response is required. To the extent a response is required, this answering
3 defendant lacks sufficient knowledge and information to form a belief as to the truth of the
4 allegations in paragraph 2 of the Complaint and therefore denies the same.

5 3. Paragraph 3 of the Complaint is not directed to this answering defendant, and
6 therefore no response is required. To the extent a response is required, this answering
7 defendant lacks sufficient knowledge and information to form a belief as to the truth of the
8 allegations in paragraph 3 of the Complaint and therefore denies the same.

9 4. Paragraph 4 of the Complaint is not directed to this answering defendant, and
10 therefore no response is required. To the extent a response is required, this answering
11 defendant lacks sufficient knowledge and information to form a belief as to the truth of the
12 allegations in paragraph 4 of the Complaint and therefore denies the same.

13 5. Paragraph 5 of the Complaint is not directed to this answering defendant, and
14 therefore no response is required. To the extent a response is required, this answering
15 defendant lacks sufficient knowledge and information to form a belief as to the truth of the
16 allegations in paragraph 5 of the Complaint and therefore denies the same.

17 6. Defendant admits the allegations in paragraph 6 of the Complaint.

18 7. Defendant admits the allegations in paragraph 7 of the Complaint.

19 8. Paragraph 8 of the Complaint is not directed to this answering defendant, and
20 therefore no response is required. To the extent a response is required, this answering
21 defendant lacks sufficient knowledge and information to form a belief as to the truth of the
22 allegations in paragraph 8 of the Complaint and therefore denies the same.
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9. Defendant admits the allegations in paragraph 9 of the Complaint.

10. Paragraph 10 of the Complaint is not directed to this answering defendant, and therefore no response is required. To the extent a response is required, this answering defendant lacks sufficient knowledge and information to form a belief as to the truth of the allegations in paragraph 10 of the Complaint and therefore denies the same.

11. Paragraph 11 of the Complaint is not directed to this answering defendant, and therefore no response is required. To the extent a response is required, this answering defendant lacks sufficient knowledge and information to form a belief as to the truth of the allegations in paragraph 11 of the Complaint and therefore denies the same.

12. Paragraph 12 of the Complaint is not directed to this answering defendant, and therefore no response is required. To the extent a response is required, this answering defendant lacks sufficient knowledge and information to form a belief as to the truth of the allegations in paragraph 12 of the Complaint and therefore denies the same.

13. Defendant lacks sufficient knowledge and information to form a belief as to the truth of the allegations in paragraph 13 of the Complaint and therefore denies them.

14. Defendant lacks sufficient knowledge and information to form a belief as to the truth of the allegations in paragraph 14 of the Complaint and therefore denies them.

15. Defendant lacks sufficient knowledge and information to form a belief as to the truth of the allegations in paragraph 15 of the Complaint and therefore denies them.

16. Defendant admits the allegations in paragraph 16 of the Complaint to the extent that paragraph 10 of the Access, Indemnity, and Insurance Agreements states what is quoted in the Complaint. Otherwise, defendant lacks sufficient knowledge and information

1 to form a belief as to the truth of the allegations in paragraph 16 of the Complaint and
2 therefore denies them.

3 17 – 22. Paragraphs 17-22 of the Complaint are not directed to this answering
4 defendant, and therefore require no response. To the extent a response is required, defendant
5 objects as these paragraphs call for a legal conclusion, and this answering defendant lacks
6 sufficient knowledge and information to form a belief as to the truth of the allegations and
7 therefore denies the same.
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9 23. Paragraph 23 of the Complaint is not directed to this answering defendant, and
10 therefore no response is required. To the extent a response is required, this answering
11 defendant lacks sufficient knowledge and information to form a belief as to the truth of the
12 allegations in paragraph 23 of the Complaint and therefore denies the same.
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14 24. Paragraph 24 of the Complaint is not directed to this answering defendant, and
15 therefore no response is required. To the extent a response is required, this answering
16 defendant lacks sufficient knowledge and information to form a belief as to the truth of the
17 allegations in paragraph 24 of the Complaint and therefore denies the same.
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19 25. Paragraph 25 of the Complaint is not directed to this answering defendant, and
20 therefore no response is required. To the extent a response is required, this answering
21 defendant lacks sufficient knowledge and information to form a belief as to the truth of the
22 allegations in paragraph 25 of the Complaint and therefore denies the same.

23 26. Defendant admits the allegations in paragraph 26 of the Complaint.

24 27. Defendant denies the allegations in paragraph 27 of the Complaint.

25 28. Defendant denies the allegations in paragraph 28 of the Complaint.
26

1 **CERTIFICATE OF SERVICE**

2 I certify under penalty of perjury under the laws of the State of Washington, that the
3 following is true and correct:

4 I am employed by the law firm of Scheer & Zehnder LLP.

5 At all times hereinafter mentioned, I was and am a citizen of the United States of
6 America, a resident of the State of Washington, over the age of eighteen (18) years, not a
7 party to the above-entitled action, and competent to be a witness herein.
8

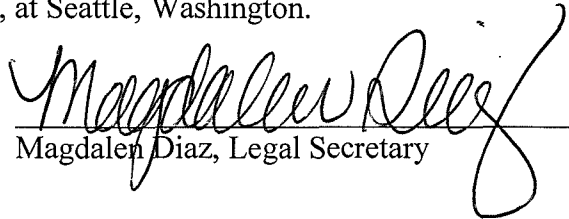
9 On the date set forth below I served the document(s) to which this is attached, in the
10 manner noted on the following person(s):

PARTY/COUNSEL	DELIVERY INSTRUCTIONS
<u>Counsel for Plaintiff</u> James B. Gottstein Law Offices of James B. Gottstein 406 G Street, Suite 206 Anchorage, AK 99501	<input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Legal Messenger <input checked="" type="checkbox"/> Via E-Mail <input type="checkbox"/> Via Overnight Mail
<u>Counsel for Defendant</u> <u>716 West Fourth Avenue LLC</u> Jeffrey W. Robinson Ashburn & Mason P.C. 1227 West 9th Avenue, Suite 200 Anchorage, Alaska 99501-5914	<input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Legal Messenger <input checked="" type="checkbox"/> Via E-Mail <input type="checkbox"/> Via Overnight Mail
<u>Counsel for Defendant</u> <u>Pfeffer Development, LLC</u> Cynthia L. Ducey Delaney Wiles 1007 W. 3rd Avenue, Suite 400 Anchorage, AK 99501	<input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Legal Messenger <input checked="" type="checkbox"/> Via E-Mail <input type="checkbox"/> Via Overnight Mail

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<u>Counsel for Defendant</u> <u>Legislative Affairs Agency</u> Kevin M. Cuddy Stoel Rives LLP 510 'L' St., Suite 500 Anchorage, AK 99501	<input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Legal Messenger <input checked="" type="checkbox"/> Via E-Mail <input type="checkbox"/> Via Overnight Mail
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DATED this 29th day of April, 2015, at Seattle, Washington.


Magdalen Diaz, Legal Secretary