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**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LINCOLN**

REX CAPRI,)
WAKEFIELD FARMS, LLC)

Plaintiffs,)

v.)

DANA W. JENKINS, LINCOLN COUNTY)
Defendants.)

and)

LINCOLN COUNTY COMMUNITY RIGHTS)
Intervenor-Defendant.)

Case # 17CV23360

**DEFENDANTS
DANA JENKINS' AND LINCOLN
COUNTY'S REPLY/ANSWER TO
INTERVENOR'S AFFIRMATIVE
DEFENSE AND COUNTERCLAIM**

Defendants Dana Jenkins and Lincoln County reply to Intervenor – Defendants

Affirmative Defense and answer their Counterclaim as follows:

1.

Lack sufficient information to form a belief as to the truth of the general allegations
in paragraphs 5, 6, 7, 8 and 11 of the Intervenor – Defendants Affirmative Defense and
Counterclaim and therefore deny the same.

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2.

Deny the allegations in Intervenor – Defendants First Affirmative Defense (Rights of Local Community Self-Government) paragraphs 9 and 10.

3.

Deny the allegations in Intervenor – Defendants First Counterclaim (Declaratory Judgement) paragraphs 12, 13, 14, and 16.

4.

Admit the allegation in Intervenor – Defendants First Counterclaim (Declaratory Judgement) paragraph 15 that the Measure is validly adopted, but deny that it is enforceable as written.

WHEREFORE, Defendants Dana Jenkins and Lincoln County request a judgment of this Court:

1. Denying Intervenor – Defendants First Affirmative Defense;
2. Dismissing Intervenor – Defendants First Counterclaim except as to the validity of the adoption of the Measure, consistent with Defendants Jenkin’s and Lincoln County’s Answer, First Affirmative Defense, and First Counterclaim for Declaratory Judgement to Plaintiffs’ Amended Complaint;
3. Awarding Defendants their reasonable costs and disbursements incurred herein;

