

IN THE SUPERIOR COURT OF RICHMOND COUNTY
STATE OF GEORGIA

Hattie Holmes Sullivan

Hattie Holmes Sullivan, Clerk
Richmond County, Georgia

GERMAYNE FARRELL, JR., GERMAYNE
RASHID FARRELL, TARIQ GERMAYNE
FARRELL, SHERNIA ANQUEL JOHNSON,
and JADA TREANN JOHNSON,

Plaintiffs,

CASE NO.: 2023-RCCV-565

v.

AUGUSTA, GEORGIA,

Defendant.

ANSWER

COMES NOW Defendant Augusta Georgia, and files this Answer to Plaintiffs' First Amended Complaint, showing the Court as follows:

First Defense

Plaintiffs fail to state a claim upon which relief can be granted.

Second Defense

Plaintiffs' claims fail due to lack of subject matter jurisdiction.

Third Defense

Some or all of Plaintiffs' claims are barred by the doctrine of sovereign immunity.

Fourth Defense

Plaintiffs' claims are barred by the applicable statutes of limitation and the equitable doctrines of laches, waiver, and estoppel.

Fifth Defense

Defendant denies that it is responsible for any negligence or gross negligence.

Sixth Defense

Defendant specifically reserves the right to raise additional claims or defenses which may become available.

Seventh Defense

Defendant hereby responds to the individually numbered paragraphs of Plaintiffs' Complaint as follows:

1. Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 1 of Plaintiffs' Complaint.
2. Defendant admits that Augusta, Georgia is a consolidated government entity.
3. Defendant admits that the Augusta Fire Department is a department of Augusta, Georgia.
4. The allegations set forth in paragraph 3 of Plaintiffs' Complaint call for a legal conclusion, and O.C.G.A. § 36-92-2 speaks for itself. To the extent that further answer is required, Defendant denies the allegations set forth in paragraph 4 of Plaintiffs' Complaint.
5. Defendant denies the allegations set forth in paragraph 5 of Plaintiffs' Complaint.
6. Defendant denies that Exhibit 1 is attached; otherwise, Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 6 of Plaintiffs' Complaint.
7. Defendant denies that Exhibit 2 is attached; otherwise, Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 7 of Plaintiffs' Complaint.
8. Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 8 of Plaintiffs' Complaint.

9. Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 9 of Plaintiffs' Complaint.
10. Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 10 of Plaintiffs' Complaint.
11. Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 11 of Plaintiffs' Complaint.
12. Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 12 of Plaintiffs' Complaint.
13. Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 13 of Plaintiffs' Complaint.
14. Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 14 of Plaintiffs' Complaint.
15. Defendant denies the allegations set forth in paragraph 15 of Plaintiffs' Complaint.
16. Defendant is without sufficient information to admit or deny the allegations set forth in paragraph 16 of Plaintiffs' Complaint.
17. Defendant denies the allegations set forth in paragraph 17 of Plaintiffs' Complaint.
18. Defendant denies the allegations set forth in paragraph 18 of Plaintiffs' Complaint.
19. Defendant denies the allegations set forth in paragraph 19 of Plaintiffs' Complaint.

Eighth Defense

Defendant denies each and every requested prayer for relief contained in Plaintiffs' Complaint.

Ninth Defense

To the extent that an answer to any allegation was omitted, Defendant hereby denies all such allegations.

Wherefore, Defendant prays that this Court:

- a. Dismiss Plaintiffs' Complaint with prejudice;
- b. Grant judgment to Defendant;
- c. Assess all costs against Plaintiff; and
- d. Award such other and further relief as just and proper.

Respectfully submitted this 13th day of February 2024.

/s/Tameka Haynes
Randolph Frails
 Georgia Bar No. 272729
Tameka Haynes
 Georgia Bar No. 453026

Attorneys for Defendant

Frails & Wilson LLC
 211 Pleasant Home Road, Suite A1
 Augusta, GA 30907
 Phone: 706-855-6715
 Facsimile: 706-855-7631
 randyfrails@frailswilsonlaw.com
 thaynes@frailswilsonlaw.com

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CIVIL ACTION NO.: 2023-RCCV-565

CERTIFICATE OF SERVICE

This is to certify that I have this date served a copy of the foregoing **Answer** via PeachCourt's electronic notifications, email, or the United States Mail with adequate postage attached thereon to:

Raymond J. Doumar
Bettis C. Rainsford, Jr.
Emily A. Doumar
Doumar | Rainsford
One 10th Street, Suite 700
Augusta, GA 30901
ray@doumarlaw.com
bettis@doumarlaw.com
emily@doumarlaw.com

This 13th day of February 2024.

/s/Tameka Haynes
Randolph Frails
Georgia Bar No. 272729
Tameka Haynes
Georgia Bar No. 453026

Attorneys for Defendant

Frails & Wilson LLC
211 Pleasant Home Road, Suite A1
Augusta, GA 30907
Phone: 706-855-6715
Facsimile: 706-855-7631
randyfrails@frailswilsonlaw.com
thaynes@frailswilsonlaw.com