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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA EX	*	
REL. CORI RIGSBY AND KERRI RIGSBY	*	RELATORS
	*	
VS.	*	CASE NO. 1:06cv00433-LTS-RHW
	*	
STATE FARM INSURANCE	*	
COMPANY, ET. AL.	*	DEFENDANTS
* * * * *		

**HAAG ENGINEERING CO.'S ANSWER AND DEFENSES
TO RELATORS' COMPLAINT FOR DAMAGES UNDER THE
FALSE CLAIMS ACT, 31 USC § 3729, ET SEQ.**

~~COMES NOW~~, Defendant, Haag Engineering Co. ("Haag"), by and through its attorneys at Galloway, Johnson, Tompkins, Burr & Smith, and files its ~~Answer with defenses to Relators' Complaint for Damages~~ ("Complaint") as follows:

FIRST DEFENSE

Haag affirmatively states the Relators have failed to state a claim against Haag upon which relief may be granted, and therefore, the Amended Complaint should be dismissed against Haag pursuant to Rule 12(b)(6); additionally, Haag reserves its right to plead any affirmative defense hereinafter discovered under Rule 8 and/or Rule 12 of the Federal Rules of Civil Procedure.

SECOND DEFENSE

Haag affirmatively states the Complaint should be dismissed for failure to plead fraud with particularity, as required by Fed.R.Civ.P. 9(b).

THIRD DEFENSE

Haag affirmatively states that some or all of the claims or requested remedies are barred by the False Claims Act, 31 U.S.C. § 3729 et seq. ("FCA").

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**HAAG ENGINEERING CO.’S ANSWER AND
DEFENSES TO RELATORS’ FIRST AMENDED COMPLAINT
FOR DAMAGES UNDER THE FALSE CLAIMS ACT, 31 USC § 3729 ET SEQ.**

COMES NOW, the Defendant, Haag Engineering Co. (hereinafter “Haag”), by and through its attorneys at Galloway, Johnson, Tompkins, Burr & Smith, and files its answer and defenses to the Amended Complaint.

FIRST DEFENSE

Haag affirmatively states the Relators have failed to state a claim against Haag upon which relief may be granted, and therefore, the Amended Complaint should be dismissed against Haag pursuant to Rule 12(b)(6); additionally, Haag reserves its right to plead any affirmative defense hereinafter discovered under Rule 8 and/or Rule 12 of the Federal Rules of Civil Procedure.

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Haag affirmatively states the Complaint should be dismissed for failure to plead fraud with particularity, as required by Fed.R.Civ.P. 9(b).

THIRD DEFENSE

Haag affirmatively states that some or all of the claims or requested remedies are barred by the False Claims Act, 31 U.S.C. § 3729 et seq. (“FCA”).

FOURTH DEFENSE

Haag affirmatively states that some or all of the claims are barred by 31 U.S.C. § 3730(e)(4) and 31 U.S.C. § 3730(b)(5).

FIFTH DEFENSE

Haag affirmatively states that some or all of the claims may be barred by the applicable statutes of limitations.

SIXTH DEFENSE

Haag affirmatively states that some or all of the claims are barred by the doctrines of laches and unclean hands.

SEVENTH DEFENSE

Haag affirmatively states that the Government and/or the Relators have failed to mitigate their alleged damages, if any.

EIGHTH DEFENSE

Haag affirmatively states that some or all of the claims are barred by the applicable provisions of the contracts, policies and/or agreements at issue in this litigation.

NINETH DEFENSE

Haag specifically avers that Relators contributed and/or caused to their own damages, if any, and as such, Relators' damages should be barred or reduced in relation thereto.

TENTH DEFENSE

Haag specifically avers that Relators' damages, if any, were proximately caused by independent, intervening, or superseding causes for which Haag is not liable.

FOURTH DEFENSE

Haag affirmatively states that some or all of the claims are barred by 31 U.S.C. § 3730(e)(4) and 31 U.S.C. § 3730(b)(5).

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NINETH DEFENSE

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TENTH DEFENSE

Haag specifically avers that Relators' damages, if any, were proximately caused by independent, intervening, or superseding causes for which Haag is not liable.

ELEVENTH DEFENSE

Haag affirmatively states that some or all of the claims may be barred by the doctrines of merger, waiver, or discharge.

ELEVENTH DEFENSE

Haag affirmatively states that some or all of the claims may be barred by the doctrines of merger, waiver, or discharge.

TWELFTH DEFENSE

Haag affirmatively states that the Rigsbys have not specifically stated their special damages, if any, as required by Fed. R. Civ. P. 9(g), and accordingly, the Rigsbys are barred from recovering any such damages.

THIRTEENTH DEFENSE

Haag specifically avers it complied with all applicable statutes, rules, codes, regulations, and duties of care at all time relevant to this action.

FOURTEENTH DEFENSE

Haag affirmatively states that some or all of the claims are barred due to preemption by federal law, including federal statutes and regulations.

FIFTEENTH DEFENSE

Haag affirmatively states that some or all of the claims may be barred by estoppel, collateral estoppel, judicial estoppel, and/or res judicata.

SIXTEENTH DEFENSE

Haag affirmatively states that it did not have any contract with Relators, the Government, or any Defendant in this matter concerning the McIntosh flood claim.

SEVENTEENTH DEFENSE

Haag specifically denies that that it aided and abetted any Defendant or any other person or entity in any wrongful or fraudulent conduct.

TWELFTH DEFENSE

Haag affirmatively states that the Rigsbys have not specifically stated their special damages, if any, as required by Fed. R. Civ. P. 9(g), and accordingly, the Rigsbys are barred from recovering any such damages.

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SIXTEENTH DEFENSE

Haag affirmatively states that it did not have any contract with Relators, the Government, or any Defendant in this matter concerning the McIntosh flood claim.

SEVENTEENTH DEFENSE

Haag specifically denies that that it aided and abetted any Defendant or any other person or entity in any wrongful or fraudulent conduct.

EIGHTEENTH DEFENSE

Haag specifically denies that that it acted in concert, assisted, or engaged with any Defendant or any other person or entity in any wrongful or fraudulent conduct.

EIGHTEENTH DEFENSE

Haag specifically denies that that it acted in concert, assisted, or engaged with any Defendant or any other person or entity in any wrongful or fraudulent conduct.

NINETEENTH DEFENSE

Haag specifically denies it conspired or schemed with any Defendant to perpetrate a fraud or any other tort or crime against Relators or the Government.

TWENTIETH DEFENSE

Haag affirmatively states that its Katrina Storm Damage Survey, which was copyrighted in October 2005, was not commissioned by or created under the direction of any entity other than Haag itself.

TWENTY-FIRST DEFENSE

Haag affirmatively denies that it was a part of any plan, scheme or conspiracy to submit any false flood claim to the Government.

TWENTY-SECOND DEFENSE

Haag affirmatively states that its Katrina Storm Damage Survey was not and is not a tool or “Bible” to be used by any person or entity to adjust, inspect or deny insurance claims, and in fact, the Survey contains a note that provides that “[v]alues of wind speed and storm surge herein are point measurements and may or may not be representative of the winds and storm surge that occurred in other locations, even within the same city, town, or community.”

TWENTY- THIRD DEFENSE

Haag affirmatively states that it is not liable to Relators for any punitive or exemplary damages.

NINETEENTH DEFENSE

Haag specifically denies it conspired or schemed with any Defendant to perpetrate a fraud or any other tort or crime against Relators or the Government.

TWENTIETH DEFENSE

Haag affirmatively states that its Katrina Storm Damage Survey, which was copyrighted in October 2005, was not commissioned by or created under the direction of any entity other than Haag itself.

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TWENTY- THIRD DEFENSE

Haag affirmatively states that it is not liable to Relators for any punitive or exemplary damages.

TWENTY- FOURTH DEFENSE

Haag affirmatively states Relators’ claim for punitive damages violates Haag’s rights under the United States and Mississippi Constitution because:

TWENTY- FOURTH DEFENSE

Haag affirmatively states Relators' claim for punitive damages violates Haag's rights under the United States and Mississippi Constitution because:

(1) Mississippi standard for an award of punitive damages is vague and indefinite in that it does not give this Defendant fair notice of the kind of conduct that was subjected to punishment or the severity of the penalty that the state may impose;

(2) The jury does not provide standards of sufficient clarity, objectivity and uniformity for determining either the appropriateness or the amount of a punitive damage award;

(3) The jury is not instructed on the limits of punitive damage awards by the applicable principles of punishment and deterrents;

(4) An award of punitive damages is not subject to judicial review on the basis of objective and uniform standards;

(5) Relators' claims exceed legitimate interests of the State of Mississippi and punishing conduct in deterring repetition of conduct;

(6) Relators' claims are grossly excessive in comparison to any civil or criminal penalty that would be imposed for comparable conduct;

(7) There is no basis to infer that a lesser deterrent would not fully and adequately protect the interest of Mississippi citizens; and

(8) Relators' claims would impose an undue burden on interstate commerce.

TWENTY FIFTH DEFENSE

AND NOW, in response to the specific allegations of Relators' ~~Complaint, Haag pleads~~
~~as follows.~~

(1) Mississippi standard for an award of punitive damages is vague and indefinite in that it does not give this Defendant fair notice of the kind of conduct that was subjected to punishment or the severity of the penalty that the state may impose;

(2) The jury does not provide standards of sufficient clarity, objectivity and uniformity for determining either the appropriateness or the amount of a punitive damage award;

(3) The jury is not instructed on the limits of punitive damage awards by the applicable principles of punishment and deterrents;

(4) An award of punitive damages is not subject to judicial review on the basis of objective and uniform standards;

(5) Relators' claims exceed legitimate interests of the State of Mississippi and punishing conduct in deterring repetition of conduct;

(6) Relators' claims are grossly excessive in comparison to any civil or criminal penalty that would be imposed for comparable conduct;

(7) There is no basis to infer that a lesser deterrent would not fully and adequately protect the interest of Mississippi citizens; and

(8) Relators' claims would impose an undue burden on interstate commerce.

TWENTY FIFTH DEFENSE

AND NOW, in response to the specific allegations of Relators' Amended Complaint, Haag pleads as follows:

CAUSES OF ACTION

1. The allegations contained in Paragraph 1 of the Amended Complaint do not require a response from this Defendant, and the statutes cited speak for

~~CAUSE OF ACTION~~

1. The allegations contained in Paragraph 1 of ~~Relators'~~ Complaint do not require a response from this Defendant, and the statutes cited speak for themselves; however, to the extent a response is deemed necessary, the allegations are ~~hereby~~ denied.
2. The allegations contained in Paragraph 2 of ~~Relators'~~ Complaint do not require a response from this Defendant, and the statutes ~~cites speak for themselves,~~ ~~however,~~ to the extent a response is deemed necessary, the allegations are denied for lack of sufficient knowledge to justify a belief therein.
3. The allegations contained in Paragraph 3 of ~~Relators'~~ Complaint do not require a response from this Defendant; ~~however,~~ to the extent a response is deemed necessary, the allegations are denied for lack of sufficient ~~information~~ to justify a belief therein.

~~JURISDICTION AND VENUE~~

4. The allegations contained in Paragraph 4 of ~~Relators'~~ Complaint do not require a response from this Defendant, and the statutes cited speak for themselves; however, to the extent a response is deemed necessary, the allegations are denied.
5. The allegations contained in Paragraph 5 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
6. The allegations contained in Paragraph 6 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed

themselves; however, to the extent a response is deemed necessary, the allegations are denied.

2. The allegations contained in Paragraph 2 of the Amended Complaint do not require a response from this Defendant, and the statutes cited speak for themselves; however to the extent a response is deemed necessary, the allegations are denied for lack of sufficient knowledge to justify a belief therein.
3. The allegations contained in Paragraph 3 of the Amended Complaint do not require a response from this Defendant; however to the extent a response is deemed necessary, the allegations are denied for lack of sufficient knowledge to justify a belief therein.

JURISDICTION AND VENUE

4. The allegations contained in Paragraph 4 of the Amended Complaint do not require a response from this Defendant, and the statutes cited speak for themselves; however, to the extent a response is deemed necessary, the allegations are denied.
5. The allegations contained in Paragraph 5 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
6. The allegations contained in Paragraph 6 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

7. The allegations contained in Paragraph 7 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

PARTIES

8. The allegations contained in Paragraph 8 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
9. The allegations contained in Paragraph 9 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
10. The allegations contained in Paragraph 10 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
11. The allegations contained in Paragraph 11 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

7. The allegations contained in Paragraph 7 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
8. The allegations contained in Paragraph 8 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
9. The allegations contained in Paragraph 9 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
10. The allegations contained in Paragraph 10 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

PARTIES

11. The allegations contained in Paragraph 11 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
12. The allegations contained in Paragraph 12 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is

12. The allegations contained in Paragraph 12 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
13. The allegations contained in Paragraph 13 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
14. The allegations contained in Paragraph 14 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
15. The allegations contained in Paragraph 15 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
16. The allegations contained in Paragraph 16 of ~~Relators'~~ Complaint are admitted only as to Haag's name. All remaining allegations are denied.
17. The allegations contained in Paragraph 17 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

13. The allegations contained in Paragraph 13 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
14. The allegations contained in Paragraph 14 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
15. The allegations contained in Paragraph 15 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
16. The allegations contained in Paragraph 16 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
17. The allegations contained in Paragraph 17 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
18. The allegations contained in Paragraph 18 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is

~~18. The allegations contained in Paragraph 18 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.~~

19. The allegations contained in Paragraph 19 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

BACKGROUND FACTS

RELATORS

~~20. The allegations contained in Paragraph 20 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.~~

~~21. The allegations contained in Paragraph 21 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.~~

~~22. The allegations contained in Paragraph 22 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.~~

~~HOW FLOOD INSURANCE WORKS~~

~~23. The allegations contained in Paragraph 23 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.~~

24. The allegations contained in Paragraph 24 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed

deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

19. The allegations contained in Paragraph 19 of the Amended Complaint are admitted only as to Haag's name. All remaining allegations are denied.

20. The allegations contained in Paragraph 20 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

21. The allegations contained in Paragraph 21 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

22. The allegations contained in Paragraph 22 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

23. The allegations contained in Paragraph 23 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

24. The allegations contained in Paragraph 24 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

25. The allegations contained in Paragraph 25 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

26. The allegations contained in Paragraph 26 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

27. ~~The allegations contained in Paragraph 27 of Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

28. ~~The allegations contained in Paragraph 28 of Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

29. The allegations contained in Paragraph 29 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

25. The allegations contained in Paragraph 25 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

26. The allegations contained in Paragraph 26 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

BACKGROUND FACTS

RELATORS

27. The allegations contained in Paragraph 27 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.

28. The allegations contained in Paragraph 28 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.

29. The allegations contained in Paragraph 29 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.

30. The allegations contained in Paragraph 30 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.

31. The allegations contained in Paragraph 31 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.

32. The allegations contained in Paragraph 32 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.

33. The allegations contained in Paragraph 33 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.

30. The allegations contained in Paragraph 30 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

31. The allegations contained in Paragraph 31 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

~~32. The allegations contained in Paragraph 32 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.~~

REALLOCATION OF WIND CLAIMS TO FLOOD CLAIMS

33. The allegations contained in Paragraph 33 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

~~34. The allegations contained in Paragraph 34 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.~~

35. The allegations contained in Paragraph 35 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed

34. The allegations contained in Paragraph 34 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.
35. The allegations contained in Paragraph 35 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.
36. The allegations contained in Paragraph 36 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.
37. The allegations contained in Paragraph 37 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.
38. The allegations contained in Paragraph 38 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.
39. The allegations contained in Paragraph 39 of the Amended Complaint are denied for lack of sufficient information to justify a belief therein.

STORM SURGE

40. The allegations contained in Paragraph 40 of the Amended Complaint are denied as stated.
41. The allegations contained in Paragraph 41 of the Amended Complaint are denied as stated.
42. The allegations contained in Paragraph 42 of the Amended Complaint are denied.
43. The allegations contained in Paragraph 43 of the Amended Complaint are denied and Haag demands strict proof thereof.
44. The allegations contained in Paragraph 44 of the Amended Complaint are denied and Haag demands strict proof thereof.
45. The allegations contained in Paragraph 45 of the Amended Complaint are denied and Haag demands strict proof thereof.

~~necessary~~, however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

36. The allegations contained in Paragraph 36 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

37. ~~The allegations contained in Paragraph 37 of Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

38. ~~The allegations contained in Paragraph 38 of Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

39. ~~The allegations contained in Paragraph 39 of Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

40. The allegations contained in Paragraph 40 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

HOW FLOOD INSURANCE WORKS

46. The allegations contained in Paragraph 46 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
47. The allegations contained in Paragraph 47 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
48. The allegations contained in Paragraph 48 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
49. The allegations contained in Paragraph 49 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
50. The allegations contained in Paragraph 50 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
51. The allegations contained in Paragraph 51 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is

SPECIFIC INSTANCES OF REALLOCATION OF WIND CLAIMS
TO FLOOD CLAIMS

41. The allegations contained in Paragraph 41 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
42. The allegations contained in Paragraph 42 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
43. The allegations contained in Paragraph 43 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
44. The allegations contained in Paragraph 44 of ~~Relators'~~ Complaint do not require a response from this ~~Defendant;~~ however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
45. The allegations contained in Paragraph 45 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

52. The allegations contained in Paragraph 52 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

53. The allegations contained in Paragraph 53 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

54. The allegations contained in Paragraph 54 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

55. The allegations contained in Paragraph 55 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

REALLOCATION OF WIND CLAIMS TO FLOOD CLAIMS

56. The allegations contained in Paragraph 56 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

46. The allegations contained in Paragraph 46 of ~~Relators'~~ Complaint do not require a response from this ~~Defendant~~; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
47. The allegations contained in Paragraph 47 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
48. The allegations contained in Paragraph 48 of ~~Relators'~~ Complaint do not require a response from this ~~Defendant~~; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
49. The allegations contained in Paragraph 49 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
50. The allegations contained in Paragraph 50 of ~~Relators'~~ Complaint do not require a response from this ~~Defendant~~; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
51. The allegations contained in Paragraph 51 of ~~Relators'~~ Complaint do not require a response from this ~~Defendant~~; however, to the extent a response is deemed

57. The allegations contained in Paragraph 57 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
58. The allegations contained in Paragraph 58 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
59. The allegations contained in Paragraph 59 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
60. The allegations contained in Paragraph 60 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
61. The allegations contained in Paragraph 61 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
62. The allegations contained in Paragraph 62 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

52. The allegations contained in Paragraph 52 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

53. The allegations contained in Paragraph 53 of ~~Relators'~~ Complaint do not require a response from this ~~Defendant~~; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

SPOLIATION OF EVIDENCE

54. The allegations contained in Paragraph 54 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

55. The allegations contained in Paragraph 55 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

56. The allegations contained in Paragraph 56 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

63. The allegations contained in Paragraph 63 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

64. The allegations contained in Paragraph 64 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

SPECIFIC INSTANCES OF REALLOCATION OF WIND CLAIMS TO FLOOD CLAIMS

65. The allegations contained in Paragraph 65 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

66. The allegations contained in Paragraph 66 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

67. The allegations contained in Paragraph 67 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

68. The allegations contained in Paragraph 68 of the Amended Complaint do not require a response from this Defendant, and the report cited speaks for itself;

57. The allegations contained in Paragraph 57 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

58. ~~The allegations contained in Paragraph 58 of Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

59. The allegations contained in Paragraph 59 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

60. The allegations contained in Paragraph 60 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

~~INCONSISTENT ENGINEERING ASSESSMENTS~~

61. The allegations contained in Paragraph 61 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

62. The allegations contained in Paragraph 62 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed

however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

69. The allegations contained in Paragraph 69 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

70. The allegations contained in Paragraph 70 of the Amended Complaint do not require a response from this Defendant, and the report cited speaks for itself; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

71. The allegations contained in Paragraph 71 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

72. The allegations contained in Paragraph 72 of the Amended Complaint do not require a response from this Defendant, and the report cited speaks for itself; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

73. The allegations contained in Paragraph 73 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

74. The allegations contained in Paragraph 74 of the Amended Complaint do not require a response from this Defendant, and the report cited speaks for itself;

necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

63. The allegations contained in Paragraph 63 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

64. The allegations contained in Paragraph 64 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

65. The allegations contained in Paragraph 65 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

66. The allegations contained in Paragraph 66 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

~~GRANT FRAUD~~

67. The allegations contained in Paragraph 67 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

75. The allegations contained in Paragraph 75 of the Amended Complaint do not require a response from this Defendant, and the report cited speaks for itself; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

76. The allegations contained in Paragraph 76 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

77. The allegations contained in Paragraph 77 of the Amended Complaint do not require a response from this Defendant, and the report cited speaks for itself; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

SPOLIATION OF EVIDENCE

78. The allegations contained in Paragraph 78 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

79. The allegations contained in Paragraph 79 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

68. The allegations contained in Paragraph 68 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

69. The allegations contained in Paragraph 69 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

70. The allegations contained in Paragraph 70 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

71. The allegations contained in Paragraph 71 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

BACKDATING OF CLAIMS

72. The allegations contained in Paragraph 72 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

73. The allegations contained in Paragraph 73 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed

80. The allegations contained in Paragraph 80 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

81. The allegations contained in Paragraph 81 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

82. The allegations contained in Paragraph 82 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

83. The allegations contained in Paragraph 83 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

84. The allegations contained in Paragraph 84 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

85. The allegations contained in Paragraph 85 of the Amended Complaint are denied.

INCONSISTENT ENGINEERING ASSESSMENTS

86. The allegations contained in Paragraph 86 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is

necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

74. ~~The allegations contained in Paragraph 74 of Relators' Complaint~~ do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

75. The allegations contained in Paragraph 75 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

ADJUSTING EXPENSES

76. The allegations contained in Paragraph 76 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

77. The allegations contained in Paragraph 77 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

78. The allegations contained in Paragraph 78 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

87. The allegations contained in Paragraph 87 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

88. The allegations contained in Paragraph 88 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

89. The allegations contained in Paragraph 89 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

90. The allegations contained in Paragraph 90 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

91. The allegations contained in Paragraph 91 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

79. The allegations contained in Paragraph 79 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

80. The allegations contained in Paragraph 80 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

81. The allegations contained in Paragraph 81 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

82. The allegations contained in Paragraph 82 of ~~Relators'~~ Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

COUNT I

VIOLATION OF 31 USC § 3729(a)(1)

83. Haag incorporates herein by reference its responses and defenses as stated above.

84. The allegations contained in Paragraph 84 of ~~Relators' Complaint are denied.~~

85. The allegations contained in Paragraph 85 of ~~Relators' Complaint are denied.~~

86. The allegations contained in Paragraph 86 of ~~Relators' Complaint, including subparts a through d, are denied.~~

GRANT FRAUD

92 The allegations contained in Paragraph 92 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

93 The allegations contained in Paragraph 93 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

94 The allegations contained in Paragraph 94 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

95 The allegations contained in Paragraph 95 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

96 The allegations contained in Paragraph 96 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

BACKDATING OF CLAIMS

97 The allegations contained in Paragraph 97 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is

87. The allegations contained in Paragraph 87 of ~~Relators' Complaint~~ are denied.
88. The allegations contained in Paragraph 88 of ~~Relators' Complaint~~ do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.
89. The allegations contained in Paragraph 89 of ~~Relators' Complaint~~ do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

The allegations contained in the unnumbered paragraph on page ~~24~~ of the Complaint beginning with the word "WHEREFORE" are ~~hereby~~ denied.

COUNT II

VIOLATION OF 31 USC § 3729(a)(2)

90. Haag incorporates herein by reference its responses and defenses as stated above.
91. ~~The allegations contained in Paragraph 91 of Relators' Complaint are denied.~~
92. ~~The allegations contained in Paragraph 92 of Relators' Complaint, including subparts a through f, are denied.~~
93. ~~The allegations contained in Paragraph 93 of Relators' Complaint are denied.~~
94. ~~The allegations contained in Paragraph 94 of Relators' Complaint are denied.~~
95. ~~The allegations contained in Paragraph 95 of Relators' Complaint are denied.~~

The allegations contained in the unnumbered paragraph on page ~~26~~ of the Complaint beginning with the word "WHEREFORE" are ~~hereby~~ denied.

deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

98. The allegations contained in Paragraph 98 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

99. The allegations contained in Paragraph 99 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

100. The allegations contained in Paragraph 100 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

ADJUSTING EXPENSES

101. The allegations contained in Paragraph 101 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

102. The allegations contained in Paragraph 102 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

COUNT III

VIOLATION OF 31 USC § 3729(a)(3)

- ~~96.~~ Haag incorporates herein by reference its responses and defenses as stated above.
- ~~97.~~ ~~The allegations contained in Paragraph 97 of Relators' Complaint are denied.~~
- ~~98.~~ ~~The allegations contained in Paragraph 98 of Relators' Complaint, including subparts a through d.i., are denied.~~
- ~~99.~~ ~~The allegations contained in Paragraph 99 of Relators' Complaint are denied.~~
- ~~100.~~ ~~The allegations contained in Paragraph 100 of Relators' Complaint are denied.~~
- ~~101.~~ ~~The allegations contained in Paragraph 101 of Relators' Complaint are denied.~~
- ~~102.~~ ~~The allegations contained in Paragraph 102 of Relators' Complaint are denied.~~
- ~~103.~~ ~~The allegations contained in Paragraph 103 of Relators' Complaint, including subparts a through c are denied.~~
- ~~104.~~ ~~The allegations contained in Paragraph 104 of Relators' Complaint are denied.~~
- ~~105.~~ ~~The allegations contained in Paragraph 105 of Relators' Complaint are denied.~~

The allegations contained in the ~~unnumbered paragraph on page 30 of the~~ Complaint beginning with the word "WHEREFORE" are ~~hereby~~ denied.

COUNT IV

VIOLATION OF 31 USC § ~~3729(a)(7)~~

- ~~106.~~ Haag incorporates herein by reference its responses and defenses as stated above.
- ~~107.~~ ~~The allegations contained in Paragraph 107 of Relators' Complaint are denied.~~
- ~~108.~~ ~~The allegations contained in Paragraph 108 of Relators' Complaint are denied.~~
- ~~109.~~ ~~The allegations contained in Paragraph 109 of Relators' Complaint are denied.~~
- ~~110.~~ ~~The allegations contained in Paragraph 110 of Relators' Complaint are denied.~~

103. The allegations contained in Paragraph 103 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

104. The allegations contained in Paragraph 104 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

105. The allegations contained in Paragraph 105 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

106. The allegations contained in Paragraph 106 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

107. The allegations contained in Paragraph 107 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

COUNT I

VIOLATION OF 31 USC § 3729(a)(1)

108. Haag incorporates herein by reference its responses and defenses as stated above.

~~111. The allegations contained in Paragraph 111 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.~~

~~112. The allegations contained in Paragraph 112 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.~~

~~113. The allegations contained in Paragraph 113 of Relators' Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.~~

~~114. The allegations contained in Paragraph 114 of Relators' Complaint are denied.~~

~~115. The allegations contained in Paragraph 115 of Relators' Complaint are denied.~~

~~116. The allegations contained in Paragraph 116 of Relators' Complaint are denied.~~

The allegations contained in the last unnumbered paragraph on page ~~32~~ of the Complaint beginning with the word "WHEREFORE" are ~~hereby denied.~~

~~117. Defendant, Haag, requests a trial by jury.~~

~~WHEREFORE, Defendant, Haag Engineering Co., prays its Answer with Defenses be deemed good and sufficient and, after a jury trial had, the Complaint filed on behalf of the United States of America by Cori Rigsby and Kerri Rigsby be dismissed, with prejudice, and for all further general and equitable relief, to which this Defendant is entitled and which this Honorable Court is competent to grant.~~

109. The allegations contained in Paragraph 109 of the Amended Complaint are denied.

110. The allegations contained in Paragraph 110 of the Amended Complaint are denied.

111. The allegations contained in Paragraph 111 of the Amended Complaint are denied.

112. The allegations contained in Paragraph 112 of the Amended Complaint, including subparts a through f, are denied.

113. The allegations contained in Paragraph 113 of the Amended Complaint are denied.

114. The allegations contained in Paragraph 114 of the Amended Complaint are denied.

115. The allegations contained in Paragraph 115 of the Amended Complaint are denied.

The allegations contained in the unnumbered paragraph on page 30 of the Amended Complaint beginning with the word “WHEREFORE” are denied.

COUNT II

VIOLATION OF 31 USC § 3729(a)(2)

116. Haag incorporates herein by reference its responses and defenses as stated above.

117. The allegations contained in Paragraph 117 of the Amended Complaint are denied.

118. The allegations contained in Paragraph 118 of the Amended Complaint, including subparts a through f, are denied.

Respectfully submitted, this 24th day of August, 2009.

HAAG ENGINEERING CO.

By: /s/ Kathryn Platt
KATHRYN BREARD PLATT (MSB#102141)

LARRY G. CANADA (MSB #10480)
KATHRYN BREARD PLATT (MSB#102141)
GALLOWAY, JOHNSON, TOMPKINS,
BURR & SMITH
1213 31st Avenue
Gulfport, MS 39501
Telephone: (228) 214-4250
Facsimile: (228) 214-9650

CERTIFICATE OF SERVICE

This is to certify that the undersigned attorney for Galloway, Johnson, Tompkins, Burr & Smith, has this day served a copy of the above and foregoing upon all counsel of record and other interested persons via the Court's Electronic Notification System.

THIS the 24th day of August, 2009.

/s/ Kathryn Platt
KATHRYN BREARD PLATT (MSB#102141)

119. The allegations contained in Paragraph 119 of the Amended Complaint are denied.

120. The allegations contained in Paragraph 120 of the Amended Complaint are denied.

121. The allegations contained in Paragraph 121 of the Amended Complaint are denied.

122. The allegations contained in Paragraph 122 of the Amended Complaint are denied.

The allegations contained in the unnumbered paragraph on page 32 of the Amended Complaint beginning with the word “WHEREFORE” are denied.

COUNT III

VIOLATION OF 31 USC § 3729(a)(3)

123. Haag incorporates herein by reference its responses and defenses as stated above.

124. The allegations contained in Paragraph 124 of the Amended Complaint are denied.

125. The allegations contained in Paragraph 125 of the Amended Complaint are denied.

126. The allegations contained in Paragraph 126 of the Amended Complaint, including subparts a through d i, are denied.

127. The allegations contained in Paragraph 127 of the Amended Complaint are denied.

128. The allegations contained in Paragraph 128 of the Amended Complaint are denied.

129. The allegations contained in Paragraph 129 of the Amended Complaint are denied.

130. The allegations contained in Paragraph 130 of the Amended Complaint are denied.

131. The allegations contained in Paragraph 131 of the Amended Complaint are denied.

132. The allegations contained in Paragraph 132 of the Amended Complaint, including subparts a through e, are denied.

133. The allegations contained in Paragraph 133 of the Amended Complaint are denied.

134. The allegations contained in Paragraph 134 of the Amended Complaint are denied.

The allegations contained in the last unnumbered paragraph on page 36 and continuing on to page 37 of the Amended Complaint beginning with the word “WHEREFORE” are denied.

COUNT IV

VIOLATION OF 31 USC § 3729(a)(7)

135. Haag incorporates herein by reference its responses and defenses as stated above.

136. The allegations contained in Paragraph 136 of the Amended Complaint are denied.

137. The allegations contained in Paragraph 137 of the Amended Complaint are denied.

138. The allegations contained in Paragraph 138 of the Amended Complaint are denied.

139. The allegations contained in Paragraph 139 of the Amended Complaint are denied.

140. The allegations contained in Paragraph 140 of the Amended Complaint are denied.

141. The allegations contained in Paragraph 141 of the Amended Complaint are denied.

142. The allegations contained in Paragraph 142 of the Amended Complaint are denied.

143. The allegations contained in Paragraph 143 of the Amended Complaint are denied.

144. The allegations contained in Paragraph 144 of the Amended Complaint are denied.

145. The allegations contained in Paragraph 145 of the Amended Complaint are denied.

The allegations contained in the first unnumbered paragraph on page 39 of the Amended Complaint beginning with the word “WHEREFORE” are denied.

COUNT V

Retaliation Under 31 USC § 3730(h)

146. Haag incorporates herein by reference its responses and defenses as stated above.

147. The allegations contained in Paragraph 147 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

148. The allegations contained in Paragraph 148 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

149. The allegations contained in Paragraph 149 of the Amended Complaint do not require a response from this Defendant; however, to the extent are denied for lack of sufficient information to justify a belief therein.

150. The allegations contained in Paragraph 150 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

151. The allegations contained in Paragraph 151 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

152. The allegations contained in Paragraph 152 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

153. The allegations contained in Paragraph 153 of the Amended Complaint, including subparts a through j, do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

154. The allegations contained in Paragraph 154 of the Amended Complaint do not require a response from this Defendant; however, to the extent a response is deemed necessary, the allegations are denied for lack of sufficient information to justify a belief therein.

The allegations contained in the last unnumbered paragraph on page 42 of the Amended Complaint beginning with the word “WHEREFORE” are denied.

155. Defendant, Haag Engineering Co., requests a trial by jury on all issues. WHEREFORE, PREMISES CONSIDERED, Defendant, Haag Engineering Co., prays its Answer and Defenses be deemed good and sufficient and, after a trial by jury, the Amended Complaint filed on behalf of Relators be dismissed, with prejudice, and for all further general and equitable relief to which this Defendant is entitled and which this Honorable Court is competent to grant

Respectfully submitted, this 24th day of August, 2009.

HAAG ENGINEERING CO.

By: /s/ Kathryn Platt
KATHRYN BREARD PLATT (MSB#102141)

LARRY G. CANADA (MSB #10480)
KATHRYN BREARD PLATT (MSB#102141)
GALLOWAY, JOHNSON, TOMPKINS,
BURR & SMITH
1213 31st Avenue
Gulfport, MS 39501
Telephone: (228) 214-4250
Facsimile: (228) 214-9650

CERTIFICATE OF SERVICE

This is to certify that the undersigned attorney for Galloway, Johnson, Tompkins, Burr & Smith, has this day served a copy of the above and foregoing upon all counsel of record and other interested persons via the Court's Electronic Notification System.

THIS the 24th day of August, 2009.

/s/ Kathryn Platt
KATHRYN BREARD PLATT (MSB#102141)