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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

99 APR 12 PM 4:41
RICHARD J. MARTIN
CLERK

HAYES, WILLIAMS, ET AL.

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CIVIL ACTION NO. 71-98-B1

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VERSUS

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McKEITHEN, ET AL.

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IN RE: TALLULAH CORRECTIONAL
FOR YOUTH

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CIVIL ACTION NO. 97-0665-B1

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BRIAN B., ET AL.

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CIVIL ACTION NO. 98-886-B1

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VERSUS

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RICHARD STALDER, ET AL.

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THE UNITED STATES OF AMERICA

*

CIVIL ACTION NO. 98-947-B1

*

VERSUS

*

U.S. DISTRICT JUDGE
FRANK J. POLOZOLA

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THE STATE OF LOUISIANA, ET AL.

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MAGISTRATE JUDGE
STEPHEN C. RIEDLINGER

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3:98-cv-00947 134 - 1

ANSWER

NOW INTO COURT, through undersigned counsel, comes FBA, L.L.C., responding to the allegations of the Second Amended Complaint filed by Plaintiffs as follows:

1.

The allegations of paragraph 1 of Plaintiff's second amended complaint require no answer of FBA, L.L.C.

2.

The allegation of paragraph 2 of Plaintiff's second amended complaint, which adds paragraphs numbered 34A and 34B to Plaintiffs' complaint are responded to as follows:

34A

The allegations of paragraph 34A, as amended, require no answer of FBA, L.L.C.

34B

The allegations of paragraph 34B, as amended, are admitted **only insofar** as FBA, L.L.C. admits that it is a Louisiana Limited Liability Company, doing business in the State of Louisiana. The remaining allegations of paragraph 34B, as amended, are denied.

3.

The allegations of paragraph 3 of Plaintiff's second amended complaint require no answer of FBA, L.L.C. To the extent the allegations can be construed as requiring an answer, FBA, L.L.C. admits that CSC is the current operator of TCCY.

4.

The allegations of paragraph 4 of Plaintiffs' second amended complaint are denied.

5.

Further answering, by way of affirmative defense, FBA, L.L.C. submits that the allegations made against it in Plaintiffs' second amended complaint are without basis in law or in fact and have no evidentiary support. FBA, L.L.C. does not have, nor has ever had, responsibility for the operations at TCCY, nor does it have responsibility for the constitutionality of the operations or conditions at the facility.

WHEREFORE, FBA, L.L.C. prays that this answer be deemed good and sufficient and after due proceedings are had there be judgment in its favor and against Plaintiffs' dismissing FBA, L.L.C. from this proceeding, with prejudice, and at Plaintiffs' cost.

By Attorneys,

TAYLOR, PORTER, BROOKS, & PHILLIPS, L.L.P.

By 

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- CERTIFICATE -

I certify that a copy of the foregoing was this day mailed, postage prepaid, to:

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Baton Rouge, Louisiana, this 12 day of April, 1999.


FREDRICK R. TULLEY