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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 04 2002

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF WASHINGTON

10
11 IN RE RIVER PARK SQUARE
12 PROJECT BOND LITIGATION

No. CS-01-0127-EFS

ANSWER OF CITY OF SPOKANE
TO FOSTER PEPPER &
13 SHEFELMAN'S COUNTERCLAIM
14

15 The City of Spokane answers the counterclaim of Foster
16 Pepper & Shefelman ("Foster Pepper") as follows:
17

18 **ANSWER**

19 1. This defendant admits the allegations in the
20 first two sentences of paragraph 1. This defendant lacks
21 knowledge or information as to all of the meetings
22 participated in by Foster Pepper and therefore denies
23 sentence three of paragraph 1.
24
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27

28 ANSWER OF CITY OF SPOKANE TO
FOSTER PEPPER & SHEFELMAN'S
COUNTERCLAIM - 1

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1 2. - 3. This defendant admits the allegations in
2 paragraphs 2 and 3.

3 4. This defendant denies the allegations in
4 paragraph 4.
5

6 5. This defendant admits the allegations in the first
7 two sentences of paragraph 5. With regard to the third
8 sentence, this defendant denies that any representative of
9 the City of Spokane, acting in their capacity as a
10 representative of the City of Spokane, or with authority of
11 the City of Spokane, participated in negotiating the flow
12 of funds provision.
13

14 6. - 7. This defendant denies the allegations in
15 paragraphs 6 and 7.
16

17 8. This defendant incorporates by reference each
18 answer as set forth herein.
19

20 9. - 10. This defendant denies the allegations in
21 paragraphs 9 and 10.
22

23 11. This defendant incorporates by reference each
24 answer as set forth herein.
25

26 12. - 13. This defendant denies the allegations in
27 paragraphs 12 and 13.
28

ANSWER OF CITY OF SPOKANE TO
FOSTER PEPPER & SHEFELMAN'S
COUNTERCLAIM - 2

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AFFIRMATIVE DEFENSES

The City asserts the following affirmative defenses to Foster Pepper's counterclaim:

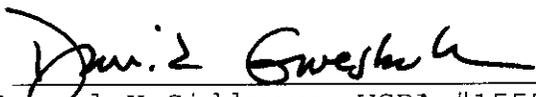
1. Failure to state a cause of action.

WHEREFORE the City of Spokane prays as follows:

1. For dismissal of Foster Pepper's counterclaim with prejudice, and
2. For recovery of its fees and costs incurred in defense thereof.

DATED this 4 day of February, 2002.

RANDALL & DANSKIN, P.S.

By 
Laurel H. Siddoway, WSBA #15550
George M. Ahrend, WSBA #25160
David J. Groesbeck, WSBA #24749

ANSWER OF CITY OF SPOKANE TO
FOSTER PEPPER & SHEFELMAN'S
COUNTERCLAIM - 3

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CERTIFICATE OF SERVICE

I hereby certify that on this 4 day of February, 2002 I caused a true and correct copy of the foregoing to be served on the parties to this action or their counsel at the address and in the manner set forth below:

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ANSWER OF CITY OF SPOKANE TO
FOSTER PEPPER & SHEFELMAN'S
COUNTERCLAIM - 4

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ANSWER OF CITY OF SPOKANE TO
FOSTER PEPPER & SHEFELMAN'S
COUNTERCLAIM - 5

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ANSWER OF CITY OF SPOKANE TO
FOSTER PEPPER & SHEFELMAN'S
COUNTERCLAIM - 6

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28 ANSWER OF CITY OF SPOKANE TO
FOSTER PEPPER & SHEFELMAN'S
COUNTERCLAIM - 7

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