

EXERCISE

ANSWERING A COMPLAINT

Background

You've been assigned to a matter representing a construction company. The client was served about a week ago with a complaint alleging negligence (and related claims) in its construction of an office building for the plaintiff, a project that took place several years ago. The case is being brought in federal court.

The client's president asked for someone on your team to join a call with their board of directors. They would like to understand what's involved in answering the complaint and what issues the company should be considering. He mentions that one of the claims seems frivolous, and also that the company isn't sure whether some of the allegations are true because they relate to a subcontractor's activities.

The senior associate on the matter asks you to prepare for this call. She thinks you should cover the initial considerations the client should make before filing an answer, and address how the specific points the client has mentioned might be relevant.

You are meeting with the senior associate at the end of the day today to discuss what you plan to say on the call.

Instructions

Come prepared to discuss what you'll say at your meeting with the senior associate.