

NO. B140226C

IN THE DISTRICT COURT OF

ACME IRON & METAL COMPANY, §
d/b/a TXALLOY, INC., and §
MAYFIELD PAPER COMPANY, §
INC., on behalf of themselves and on §
behalf of those similarly situated. §

Plaintiffs, §

v. §

REPUBLIC WASTE SERVICES OF §
TEXAS LTD. sometimes d/b/a §
TRASHAWAY SERVICES AND §
DUNCAN DISPOSAL. §

Defendant. §

TOM GREEN COUNTY, §

119TH JUDICIAL DISTRICT §

DEFENDANT'S ORIGINAL ANSWER

Defendant Republic Waste Services of Texas Ltd. sometimes d/b/a Trashaway Services and Duncan Disposal hereby files its Original Answer and would show the Court as follows:

**I.
GENERAL DENIAL**

Pursuant to Texas Rule of Civil Procedure 92, Republic Waste Services generally denies the allegations in Plaintiffs' Original Petition and demands strict proof thereof.

II.
AFFIRMATIVE DEFENSES

Pleading further, Republic Waste Services hereby asserts the following affirmative defenses that entitle it to judgment in its favor:

1. Plaintiffs' claims and the relief sought are barred in whole or in part by the applicable statutes of limitations.

2. The voluntary payment doctrine precludes Plaintiffs' claims and the relief sought.

3. Plaintiffs' claims cannot be maintained as a class action on behalf of the putative class alleged in the Petition.

Republic Waste Services reserves the right to add additional defenses.

III.
PRAYER

WHEREFORE Defendant Republic Waste Services of Texas Ltd. prays that Plaintiff take nothing by reason of its actions herein, and for such further relief, both general and special, at law and equity, to which Republic Waste Services may be justly entitled.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that on this 30th day of July, 2014, this document was served via electronic mail upon:

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