HEALY AND ROBINSON
68 Post Street
San Francisco 4, California
EXbrook 2-0092

Attorneys for Defendant
NANCY CHRISTIAN

FILED
FEB 6 - 1964
MARTIN MONGAN, Clerk
BY _____ Deputy Clerk

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

JAMES DAVIS ROWLAND, JR.,

Plaintiff,

vs.

T. HING HONG, WUN HONG, NANCY CHRISTIAN, et al.,

Defendants.

No. 538773

ANSWER TO COMPLAINT

Comes now the defendant, NANCY CHRISTIAN, and answers the Complaint of plaintiff on file herein, and by way of defense thereto, admits, denies and alleges:

I.

Answering the allegations of Paragraph VI, defendant admits that plaintiff was a social guest of her's on the day in question, and with this exception, denies the remaining allegations of Paragraph VI.

II.

Denies each and every, all and singular, the allegations of Paragraphs VIII, IX, X, XI, XII, and specifically denies that plaintiff has been damaged in the sum of One Hundred Thousand One Hundred Dollars ($100,100.00) or in any part thereof, or in any other sum or sums whatsoever or at all.

AS AND FOR A SECOND, SEPARATE, FURTHER AND DISTINCT ANSWER AND DEFENSE TO THE COMPLAINT OF PLAINTIFF, defendant alleges:

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I.

That plaintiff was guilty of contributory negligence in and about the matters and things alleged in said Complaint in that he failed to use due or any care and caution for his own safety and protection and failed to use his natural faculties, including that of eyesight and that any and all injuries and damages sustained by plaintiff were caused by his said contributory negligence.

AS AND FOR A THIRD, SEPARATE, FURTHER AND DISTINCT ANSWER AND DEFENSE TO COMPLAINT OF PLAINTIFF, defendant alleges:

I

That at the time and place of the alleged event stated in said complaint, plaintiff was fully aware of and knew of the conditions on said premises, and with full knowledge plaintiff went on and upon said premises and knowingly and voluntarily assumed all the risks and injury that might result therefrom.

WHEREFORE, defendant, NANCY CHRISTIAN, prays that plaintiff take nothing by his said Complaint on file herein; that defendant, NANCY CHRISTIAN, have judgment herein, together with costs incurred, and for such other and further relief as to the Court may seem meet and just in the premises.

Dated: February 4, 1964

HEALY AND ROBINSON

By _____
Attorneys for Defendant
NANCY CHRISTIAN

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STATE OF CALIFORNIA)
) ss.
City and County of San Francisco)

NANCY CHRISTIAN, being first duly sworn, deposes and says:

That she is one of the defendants in the above entitled action, and has read the foregoing Answer to Complaint and knows the contents thereof; that the same are true of her own knowledge, except as to the matters therein stated on information and belief, and as to such matters she believes it to be true.

Nancy Christian

Subscribed and sworn to before me
this 5th day of February, 1964.

RUTH E. LYBACK, Notary Public of the
State of California, principal office
in the City and County of San Francisco.

My Commission Expires: 5-31-64

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PROOF OF SERVICE BY MAIL — 1013a, 2015.5 C P.)

I am a citizen of the United States and a resident of the county of Alameda *I am over the age of eighteen years and not a party to the within above entitled action; my business residence address is:*

68 Post Street, San Francisco 4, California

On February 5, *19*64, *I served the within* ANSWER TO COMPLAINT

on the PLAINTIFF *in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at* SAN FRANCISCO, CALIFORNIA *addressed as follows:*

Jack K. Berman
Attorney at Law
Suite 618, 995 Market Street
San Francisco 3, California

I certify (or declare), under penalty of perjury, that the foregoing is true and correct.*

Executed on February 5, 1964 *(date) at* San Francisco *(place), California*

Linda Webb
Signature

**proof of service by mail forms, being signed under penalty of perjury, do not require notarization.*

ATTORNEYS PRINTING SUPPLY FORM NO. 11