

**S T A T E O F R H O D E I S L A N D**  
WASHINGTON, SC. SUPERIOR COURT  
NO. WC-2020-0130

MARY BURKE PATTERSON, *ET ALS*,  
*PLAINTIFFS*,

VS.

BONNET SHORES FIRE DISTRICT,  
*DEFENDANT*.

**DEFENDANT'S ANSWER**

Now comes the Defendant, Bonnet Shores Fire District, and answers the Plaintiffs' Complaint as follows:

1. Admitted. And answering further, Defendant says that the Court having dismissed Count III, as well as the relief sought under paragraphs D, E, and F, Plaintiff Mary Burke Patterson lacks standing to sue and her claims for relief must be dismissed.

2. Admitted. And answering further, Defendant says that the Court having dismissed Count III, as well as the relief sought under paragraphs D, E, and F, Plaintiff Robert Patterson lacks standing to sue and his claims for relief must be dismissed.

3. Admitted.

4. Admitted. And answering further, Defendant says that the Court having dismissed Count III, as well as the relief sought under paragraphs D, E, and F, Plaintiff Valerie Ann Henry lacks standing to sue and her claims for relief must be dismissed.

5. Admitted. And answering further, Defendant says that the Court having dismissed Count III, as well as the relief sought under paragraphs D, E, and F, Plaintiff Paula Childs lacks standing.

6. Admitted. And answering further, Defendant says that the Court having dismissed Count III, as well as the relief sought under paragraphs D, E, and F, Plaintiff David H. Stenmark lacks standing to sue and his claims for relief must be dismissed

7. Admitted. And answering further, Defendant says that the Court having dismissed Count III, as well as the relief sought under paragraphs D, E, and F, Plaintiff David Stenmark lacks standing to sue and her claims for relief must be dismissed

8. Admitted.

9. Denied as to Plaintiffs Mary Burke Patterson, Robert E. Patterson, Paula Childs, as they lack standing. As to the other Plaintiffs, admitted.

10. Admitted.

11. Admitted.

12. This paragraph calls for a legal conclusion and, as such, is denied.

13. Admitted.

14. Admitted.

15. Admitted.

16. Admitted.

17. This paragraph calls for a legal conclusion and, as such, is denied.

18. This paragraph calls for a legal conclusion and, as such, is denied.

19. Admitted.

20. Admitted.

21. Admitted.

22. This paragraph calls for a legal conclusion and, as such, is denied.

23. Admitted.

24. Admitted.

25. Admitted.

26. Admitted.

27. This paragraph calls for a legal conclusion and, as such, is denied.

28. This paragraph calls for a legal conclusion and, as such, is denied.

29. This paragraph calls for a legal conclusion and, as such, is denied.

30. This paragraph calls for a legal conclusion and, as such, is denied.

31. This paragraph calls for a legal conclusion and, as such, is denied.

32. Admitted.

33. This paragraph calls for a legal conclusion and, as such, is denied.

34. Defendant is without information sufficient to form a belief as to the truth of this paragraph and it is, accordingly, denied pursuant to R.I. Super. R. Civ. P. 8(b).

35. Defendant is without information sufficient to form a belief as to the truth of this paragraph and it is, accordingly, denied pursuant to R.I. Super. R. Civ. P. 8(b).

36. Denied.

37. Admitted.

38. Denied.

39. Defendant admits that some of the Plaintiffs have contacted the Attorney General and Secretary of State but deny each and every remaining allegation in this paragraph.

40. Defendant admits that a letter was appended to the Complaint but say that it speaks for itself and accordingly deny each and every remaining allegation in this paragraph.

41. Defendant admits that a copy of minutes was appended to the Complaint but say that it speaks for itself and accordingly deny each and every remaining allegation in this paragraph.

42. Defendant repeats its responses to all previous paragraphs.

43. Denied.

44. This paragraph calls for a legal conclusion and, as such, is denied.

45. This paragraph calls for a legal conclusion and, as such, is denied.

46. This paragraph calls for a legal conclusion and, as such, is denied.

47. This paragraph calls for a legal conclusion and, as such, is denied.

48. Denied.

49. Denied.

50. Denied.

51. Defendant repeats its responses to all previous paragraphs.

52. Denied.

53. Denied.

54. This paragraph calls for a legal conclusion and, as such, is denied.

55. This paragraph calls for a legal conclusion and, as such, is denied.

56. Denied.

57. Denied.

58. Defendant admits that a letter was appended to the Complaint but says that it speaks for itself and all allegations in this paragraph are, accordingly, denied.

59. No response required as the Court has dismissed Count III.

60. No response required as the Court has dismissed Count III.

61. No response required as the Court has dismissed Count III.

62. No response required as the Court has dismissed Count III.

63. No response required as the Court has dismissed Count III.

64. No response required as the Court has dismissed Count III.

65. No response required as the Court has dismissed Count III.

66. No response required as the Court has dismissed Count III.

67. No response required as the Court has dismissed Count III.

68. Defendant repeats its responses to all previous paragraphs.

69. This paragraph calls for a legal conclusion and, as such, is denied.

70. Admitted.

71. This paragraph calls for a legal conclusion and, as such, is denied.

72. This paragraph calls for a legal conclusion and, as such, is denied.

73. Denied.

74. Denied.

75. Defendant admits that a letter is appended to the Complaint but says that it speaks for itself and accordingly denies all remaining allegations in this paragraph.

### ADDITIONAL DEFENSES

*First Additional Defense.* Plaintiffs Mary Burke Patterson, Robert Patterson, David H. Stenmark, Carol M. Stenmark, and Paula Childs lack standing to seek the relief sought in the complaint. Their claims must be dismissed for lack of subject matter jurisdiction.

*Second Additional Defense.* Except to the extent explicitly admitted herein, Defendant intends in this Answer to deny each and every allegation set forth in the Complaint.

*Third Additional Defense.* The Complaint should be dismissed for failure to state claims upon which relief can be granted.

*Fourth Additional Defense.* The Plaintiffs have failed to exhaust administrative and/or judicial remedies required prior to commencing this suit.

*Fifth Additional Defense.* Defendant asserts all applicable defenses relating to the statute of limitations, laches, and ripeness.

WHEREFORE, Defendant respectfully prays that the Plaintiffs' Complaint be dismissed, that the Plaintiffs take nothing, and that the Defendant be awarded its

reasonable attorneys fees and costs as provided by 42 U.S.C. sec. 1988 and any other applicable law.

Respectfully submitted,  
Defendant, Bonnet Shores Fire District,  
By its Attorney:

/S/Thomas More Dickinson  
THOMAS MORE DICKINSON (NO. 2520)  
*Counsel of Record*  
*Law Office of Thomas M. Dickinson*  
*P.O. Box 9184*  
*Providence, RI 02940-9184*  
*Tel. 401-490-8083*  
*tmd@appealRI.com*

CERTIFICATION

I hereby certify that a copy of this document was served on all parties thereto via this Court's E-file and Serve system.

/S/Thomas More Dickinson  
THOMAS MORE DICKINSON (NO. 2520)  
*Counsel of Record*  
*Law Office of Thomas M. Dickinson*  
*P.O. Box 9184*  
*Providence, RI 02940-9184*  
*Tel. 401-490-8083*  
*tmd@appealRI.com*

DATE: January 8, 2021

TMD/AMDG/lDs