UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

)

)

Plaintiff(s),  )

)

v.  ) Civil no.

)

 )   Jury Trial: ☐ Yes ☐ No

 ) *(check one)*

Defendant(s).  )

**ANSWER AND [COUNTERCLAIM / CROSSCLAIM]**

[*Use this form if, in addition to answering the plaintiff’s complaint, you intend to assert a claim or claims of your own against the plaintiff (such claims are called “counterclaims”) or if you intend to assert a claim or claims against someone other than the plaintiff who you believe is responsible for the harm the plaintiff complains of in his/her/their complaint. If you plan to file a claim against someone who is not already named in the plaintiff’s complaint, because you think they are responsible for the issues raised in the plaintiff’s complaint, you must identify them in the caption, above, and indicate that they are a “Crossclaim Defendant.” You will also need to serve that party with your Answers and Crossclaim.* For reference, see Rules 13, 14, 19 and 20 of the Federal Rules of Civil Procedure.]

**I.** **Answer.**

 Defendant \_[Insert Name]\_ answers Plaintiff’s Complaint as follows:

1. Defendant [admits/denies/has insufficient information or knowledge to admit or deny paragraph one of Plaintiff’s Complaint.]

2. [Follow the preceding example for each paragraph of Plaintiff’s Complaint. If a paragraph contains more than one allegation and you cannot admit or deny them all, indicate which allegation(s) you admit, which allegation(s) you deny, and which allegations you lack sufficient information or knowledge to admit or deny.]

….

**II.** **Defenses**

Without waiving the right to raise additional defenses, Defendant asserts the following defenses to the Complaint:

1. [In a series of numbered paragraphs set out any defenses you believe you have to the claim(s) set forth in the Plaintiff’s Complaint. For reference see Rule 12 of the Federal Rules of Civil Procedure.]

….

**COUNTERCLAIM [if applicable]**

**III.**  **Counterclaim**

Write a short and plain statement of the counterclaim(s). Do not make legal arguments. State as briefly as possible the facts showing that you, the defendant / counterclaim plaintiff, are entitled to the damages or other relief sought. State how the plaintiff / counterclaim defendant was involved and what they did that caused you harm or violated your rights, including the dates and places of that involvement or conduct. If more than one counterclaim is asserted, number each counterclaim and write a short and plain statement of each counterclaim in a separate paragraph. Attach additional pages if needed.

….

IV. Counterclaim Relief

State briefly and precisely what damages or other relief you ask the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

….

**CROSSCLAIM [if applicable]**

**V.** **Crossclaim**

Write a short and plain statement of the crossclaim(s). Do not make legal arguments. State as briefly as possible the facts showing that you, the defendant / crossclaim plaintiff, are entitled to the damages or other relief sought. State how the crossclaim defendant was involved and what they did that caused the harm raised in the plaintiff’s complaint, including the dates and places of that involvement or conduct. If more than one crossclaim is asserted, number each crossclaim and write a short and plain statement of each in a separate paragraph. Attach additional pages if needed.

….

**VI.**  **Crossclaim Relief**

State briefly and precisely what damages or other relief you ask the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

**CERTIFICATION AND CLOSING**

VII. Certification

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**VIII.** **Closing**

I agree to provide the Clerk’s Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk’s Office may prevent me from receiving notice by mail of developments in my case.

Date of signing: \_\_\_\_\_\_\_\_\_\_, 20\_\_.

Signature of Defendant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name of Defendant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Address

 Phone

 E-mail