
RICHARD C. SCULL,

Plaintiff,

v.

Case No. 12CV002420

Case Code: 30301 / 30107

LENA TAYLOR,
ASSOCIATED BANK-CORP.,
and NEIL PURTELL,

Defendants.

ANSWER AND AFFIRMATIVE DEFENSES

Now comes the above-named defendant, ASSOCIATED BANK-CORP, and as and for
an Answer to the plaintiff's Complaint, admits, denies and alleges as follows:

1. As and for an answer to Paragraph 1, admit.
2. As and for an answer to Paragraph 2, deny.
3. As and for an answer to Paragraph 3, lacks information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies the same and puts the plaintiff to his strict proof thereon.
4. As and for an answer to Paragraph 4, denies each and every allegation contained therein and puts the plaintiff to his strict proof thereon.
5. As and for an answer to Paragraph 5, denies each and every allegation contained therein and puts the plaintiff to his strict proof thereon.
6. As and for an answer to Paragraph 6, lacks sufficient knowledge and information sufficient to form a belief as to the truth of the allegations contained therein and therefore denies the same and puts the plaintiff to his strict proof thereon.

7. As and for an answer to Paragraph 7, lacks sufficient information to form a belief as to the truth of the allegations contained therein and therefore denies the same and puts the plaintiff to his strict proof thereon.

8. As and for an answer to Paragraph 8, denies each and every allegation contained therein and puts the plaintiff to his strict proof thereon.

AFFIRMATIVE DEFENSES

As and for Affirmative Defenses, this answering defendant would assert and allege as follows:

1. The plaintiff's Complaint fails to state a claim upon which relief can be granted;
2. This Court lacks jurisdiction in this matter due to the plaintiff's failure to properly serve this answering defendant herein.

WHEREFORE, this answering defendant prays for Judgment as follows:

1. For dismissal of the plaintiff's Complaint;
2. For the costs and disbursements of this action;
3. For any further relief that the Court may deem just and equitable.

Dated this 5th day of April, 2012.

NIEBLER, PYZYK, ROTH & CARRIG LLP
Attorneys for Defendant, Associated Bank-Corp.

By: 

Robert G. Pyzyk
State Bar No. 1016525

P.O. ADDRESS:

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**AFFIDAVIT OF ROBERT G. PYZYK IN SUPPORT OF
MOTION FOR MORE DEFINITE STATEMENT**

STATE OF WISCONSIN)

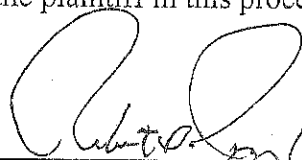
) SS.

COUNTY OF WAUKESHA)

Robert G. Pyzyk, being first duly sworn on oath, deposes and says:

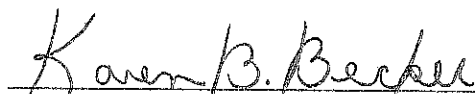
1. That he is the attorney for the defendant, ASSOCIATED BANK-CORP., in the above-captioned matter and makes this Affidavit on its behalf, being duly authorized so to do and in support of the attached Notice of Motion and Motion for More Definite Statement.
2. The plaintiff, in Paragraph 4 of his Complaint, asserts that Associated Bank "improperly and negligently cashed a check in my name to someone other than myself." The plaintiff does not identify the date or time that the same occurred, nor does he identify the drawer of the check or the person that would have cashed said check. Without the information as to the date of the check, the drawer of the check, or the person to whom the check was cashed, the defendant, ASSOCIATED BANK-CORP., is unable to identify the transaction to which the plaintiff refers.
3. The plaintiff asserts in Paragraph 6 of his Complaint that "Lena Taylor received money from Associated Bank . . .", without identifying the amount that was received, the date upon which it was received, or any other facts that would assist this answering defendant in searching its records to respond to the same. The plaintiff should be required to identify the date that the transaction occurred, the money that this answering defendant allegedly received, and any other facts from which the defendant could search its data base to determine the nature of the allegations made by the plaintiff herein.

4. In Paragraph 7 of his Complaint, the plaintiff asserts that a co-defendant "paid me nothing and took my money." This answering defendant has no information as to the nature of the claim, the basis for the claim, or upon what facts the plaintiff relies in making the allegations contained in Paragraph 7. The plaintiff should be required to provide this answering defendant with more detailed information as to the relationship that existed between the plaintiff and the defendant, Lena Taylor, before proceeding further with the defense of any claim in this matter.
5. The plaintiff has also filed a companion case in the Circuit Court of Milwaukee County, Case No. 12CV3614, with virtually identical allegations against ASSOCIATED BANK-CORP. without providing sufficient detail from which ASSOCIATED BANK-CORP. could search its records or data bases in an attempt to respond to the assertions and allegations that said plaintiff has made in both cases.
6. The plaintiff's Complaint is generic in nature and does not provide specific information from which this answering defendant can respond.
7. Affiant would therefore request that the plaintiff be required to provide more specificity in order that this answering defendant can respond in the appropriate manner in defending the allegations of the plaintiff in this proceeding.



Robert G. Pyzyk

Subscribed and sworn to before
me this 18th day of April, 2012.



Karen B. Becker
Notary Public, State of Wisconsin
My commission expires 11-16-14.

