

**STATE OF MAINE**  
\_\_\_\_\_, ss.

**DISTRICT COURT**  
**LOCATION** \_\_\_\_\_  
**DOCKET NO.** \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,

v.

\_\_\_\_\_,  
Defendant.

**ANSWER AND AFFIRMATIVE  
DEFENSES**  
**(Title to Real Estate Involved)**

**ANSWER**

1. I admit that I signed a note and mortgage.
2. I am without knowledge as to whether the Plaintiff is the lawful holder of the Note or the Mortgage. Therefore, I deny the allegation.
3. I am without sufficient knowledge as to whether the amount demanded as amounts due is accurate. Therefore, I deny the allegation.
4.  I admit receiving a default notice. I am without knowledge as to whether the default notice is lawful. Therefore, I deny that the default notice is lawful.  
or  
 I deny receiving a default notice.
5. I admit receiving the Complaint. I am without knowledge as to whether the Plaintiff, as required by 14 M.R.S.A. § 6321 et. seq., has both certified proof of ownership of the Note and provided evidence of the Mortgage, Note and all assignments and endorsements of the Note and Mortgage. Therefore, I deny the allegation.

6. I deny violating the terms of the Mortgage and/or Note.

**AFFIRMATIVE DEFENSES**

7. I repeat, reallege and incorporate by reference paragraphs 1 through 6.

**FIRST AFFIRMATIVE DEFENSE**

8. Plaintiff's complaint fails to state a claim upon which relief can be granted by this Court because Plaintiff failed to comply with the notice and right to cure provision in 14 M.R.S.A. § 6111.

**SECOND AFFIRMATIVE DEFENSE**

9. Plaintiff's complaint is subject to the defense of estoppel.

**THIRD AFFIRMATIVE DEFENSE**

10. Plaintiff's complaint is subject to the defense of duress.

**FOURTH AFFIRMATIVE DEFENSE**

11. Plaintiff's complaint is subject to the defense of unclean hands.

**FIFTH AFFIRMATIVE DEFENSE**

12. Plaintiff's complaint is subject to the defense of illegality.

**SIXTH AFFIRMATIVE DEFENSE**

13. Plaintiff's complaint is subject to the defense of accord and satisfaction.

**SEVENTH AFFIRMATIVE DEFENSE**

14. Plaintiff does not have standing to bring this complaint.

Other:

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WHEREFORE, Defendant prays that the Complaint be dismissed, for their costs, and for such further relief as the nature of the case may require.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone Number)

**CERTIFICATE OF SERVICE**

I hereby certify that I have delivered a copy of this Answer and Affirmative Defenses by mailing a copy to the Plaintiff's lawyer.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)