

IN THE COUNTY COURT OF THE
15TH JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

CASE NO.: 50-2024-CC-002958-XXA-SB

COVE CAPITAL, LLC, DBA FLOOR
COVERINGS INTERNATIONAL BOCA
RATON,

Plaintiff,

v.

ROBERT SCHNEIDER,

Defendant.

DEFENDANT'S ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIM

Defendant, ROBERT SCHNEIDER ("Defendant"), by and through his undersigned counsel, hereby Answers the Complaint filed herein by Plaintiff, COVE CAPITAL, LLC, DBA FLOOR COVERINGS INTERNATIONAL BOCA RATON ("Plaintiff"), and states:

ANSWER

1. In response to the allegations contained in paragraph 1 of Plaintiff's Complaint, Plaintiff purports to assert an action for equitable relief, or alternatively for damages of \$36,417.05, plus interest and attorney's fees and costs, but Defendant denies that Plaintiff has done so or that Defendant has any liability to Plaintiff and demands strict proof thereof.

2. In response to the allegations contained in paragraph 2 of Plaintiff's Complaint, Plaintiff purports to assert that venue lies in Palm Beach County, Florida, because all events giving rise to its cause of action took place there, but Defendant denies that it has any liability to Plaintiff and each and every remaining allegation and inference

contained therein and demands strict proof thereof.

3. Defendant is without knowledge as to each and every allegation contained in paragraph 3 of Plaintiff's Complaint and therefore denies same and demands strict proof thereof.

a. Defendant is without knowledge as to each and every allegation contained in paragraph 3a of Plaintiff's Complaint and therefore denies same and demands strict proof thereof.

b. Defendant admits the allegations contained in paragraph 3b of Plaintiff's Complaint to the extent that he is over the age of 18 and a resident of Palm Beach County, Florida, but denies each and every remaining allegation or inference contained therein and demands strict proof thereof.

4. Defendant denies each and every allegation contained in paragraph 4 of Plaintiff's Complaint and demands strict proof thereof.

5. Defendant denies each and every allegation contained in paragraph 5 of Plaintiff's Complaint to the extent that Plaintiff refers to 808 Seagrass Drive, otherwise Defendant admits such allegations to the extent that Plaintiff meant to refer to 808 Seasage Drive.

6. Defendant admits each and every allegation contained in paragraph 6 of Plaintiff's Complaint to the extent that on or around September 7, 2023, Defendant engaged Plaintiff to remove existing flooring and install new tile on outdoor balconies located at the Property, but denies each and every remaining allegation and demands strict proof thereof.

7. Defendant denies each and every allegation contained in paragraph 7 of Plaintiff's Complaint and demands strict proof thereof.

8. Defendant denies each and every allegation contained in paragraph 8 of Plaintiff's Complaint and demands strict proof thereof.

9. In response to the allegations contained in paragraph 9 of Plaintiff's Complaint, Defendant refers Plaintiff to the original contract, the terms of which speak for themselves, but otherwise denies any liability thereunder and each and every remaining allegation and inference and demands strict proof thereof.

10. Defendant denies each and every allegation contained in paragraph 10 of Plaintiff's Complaint and demands strict proof thereof.

11. Defendant denies each and every allegation contained in paragraph 11 of Plaintiff's Complaint and demands strict proof thereof.

12. Defendant denies each and every allegation contained in paragraph 12 of Plaintiff's Complaint and demands strict proof thereof.

13. Defendant denies each and every allegation contained in paragraph 13 of Plaintiff's Complaint and demands strict proof thereof.

14. In response to the allegations contained in paragraph 9 of Plaintiff's Complaint, Defendant refers Plaintiff to the final invoice, the terms of which speak for themselves, but otherwise denies that Defendant agreed to its terms and each and every remaining allegation and inference and demands strict proof thereof.

15. Defendant denies each and every allegation contained in paragraph 15 of Plaintiff's Complaint and demands strict proof thereof.

16. Defendant denies each and every allegation contained in paragraph 16 of

Plaintiff's Complaint and demands strict proof thereof.

17. Defendant denies each and every allegation contained in paragraph 17 of Plaintiff's Complaint and demands strict proof thereof.

18. Defendant is without knowledge as to each and every allegation contained in paragraph 18 of Plaintiff's Complaint and therefore denies same and demands strict proof thereof.

19. Defendant readopts and realleges each and every allegation contained in paragraphs 1 through 18 of his Answer herein in response to paragraph 19 of Plaintiff's Complaint.

20. Defendant denies each and every allegation contained in paragraph 20 of Plaintiff's Complaint and demands strict proof thereof.

21. Defendant denies each and every allegation contained in paragraph 21 of Plaintiff's Complaint and demands strict proof thereof.

22. Defendant denies each and every allegation contained in paragraph 22 of Plaintiff's Complaint and demands strict proof thereof.

23. Defendant denies each and every allegation contained in paragraph 23 of Plaintiff's Complaint and demands strict proof thereof.

24. Defendant denies each and every allegation contained in paragraph 24 of Plaintiff's Complaint and demands strict proof thereof.

25. Defendant denies each and every allegation contained in paragraph 25 of Plaintiff's Complaint and demands strict proof thereof.

26. Defendant is without knowledge as to each and every allegation contained in paragraph 26 of Plaintiff's Complaint and therefore denies same and demands strict

proof thereof.

27. Defendant readopts and realleges each and every allegation contained in paragraphs 1 through 26 of his Answer herein in response to paragraph 27 of Plaintiff's Complaint.

28. Defendant admits the allegations contained in paragraph 28 of Plaintiff's Complaint to the extent of the relationship, but denies that Plaintiff made valuable improvements and each and every remaining allegation and inference contained in said paragraph and demands strict proof thereof.

29. Defendant denies each and every allegation contained in paragraph 29 of Plaintiff's Complaint and demands strict proof thereof.

30. Defendant denies each and every allegation contained in paragraph 30 of Plaintiff's Complaint and demands strict proof thereof.

31. In response to the allegations contained in paragraph 31 of Plaintiff's Complaint, Defendant admits that Defendant delivered \$40,000.00 to Plaintiff, but denies that Plaintiff was entitled to such payment, that it is indebted to Plaintiff or that the remaining amount of \$36,417.05 alleged to be due is owed and demands strict proof thereof.

32. Defendant denies each and every allegation contained in paragraph 32 of Plaintiff's Complaint and demands strict proof thereof.

33. Defendant denies each and every allegation contained in Plaintiff's Complaint which has not been specifically admitted herein.

AFFIRMATIVE DEFENSES

34. As and for Defendant's First Affirmative Defense, Defendant states that

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