**UNITED STATES DISTRICT COURT
SOUTHERN DISTRIC OF OHIO
WESTERN DIVISION AT DAYTON**

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| **VILLAGE OF CAMDEN, OHIO,** | : | **Case No. 3:20-CV-273** |
| **Plaintiff** | : | **Judge Douglas R. Cole** |
| v. | : | **ANSWER OF GOOD RAIL & TRUCK** |
| **CARGILL, INCORPORATED, et al.,** | : | **TRANSFER, INC. AND R. GOOD ENTERPRISES, LLC** |
| **Defendants.** | : | |
| _____ | : | |

For their Answer to Plaintiff's Complaint (the "Complaint"), Defendants Good Rail &

Truck Transfer, Inc. and R. Good Enterprises, LLC (the "Good Defendants") state as follows:

**FIRST DEFENSE**

1.      Admitted.[1]

2.      Admitted.

3.      Admitted.

4.      Admitted.

5.      Admitted.

6.      Admitted.

7.      With respect to paragraph 7, Defendants assert that this allegation merely

references a prior decision from the Preble County Court of Common Pleas and no response is

required.

8.      Admitted.

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[1] The paragraph numbers in this Answer correspond to the paragraph numbers in the Complaint.

1

9.      Denied for lack of knowledge.

10.     Denied for lack of knowledge.

11.     Denied for lack of knowledge.

12.     Denied for lack of knowledge.

13.     The allegations in paragraph 13 are moot in light of the removal of the case.

14.     Good Defendants admit that the Court has personal jurisdiction over all named

defendants.

15.     Good Defendants admit that the Court has personal jurisdiction over all named

defendants.

16.     Good Defendants admit that the Court has personal jurisdiction over all named

defendants.

17.     Good Defendants admit that the Court has personal jurisdiction over all named

defendants.

18.     Good Defendants admit that the Court has personal jurisdiction over all named

defendants.

19.     Good Defendants admit that venue is proper.

20.     Good Defendants incorporate their previous assertions as if fully rewritten.

21.     Denied for lack of knowledge and because the allegations call for a legal

conclusion.

22.     Denied for lack of knowledge.

23.     Denied.

24.     Denied.

25.     Denied.

26.     Denied.

27.     Denied for lack of knowledge.

28.     Admitted.

29.     Admitted.

30.     Admitted.

31.     Good Defendants admit that no guidance was provided to Rodney Good.  Good

Defendants deny the remaining allegations for lack of knowledge.

32.     Denied.

33.     The June 29, 2019 Entry speaks for itself.  The remaining allegations of paragraph

33 are denied.

34.     The June 29, 2019 Entry speaks for itself.  The remaining allegations of paragraph

34 are denied.

35.     Denied.

36.     Denied.

37.     Good Defendants admit that emergency orders were issued by Ohio EPA to

Plaintiff requiring Plaintiff to shut down wells and locate a new water source.  The remaining

allegations of paragraph 37 are denied.

38.     Denied for lack of knowledge.

39.     Denied.

40.     Good Defendants incorporate their previous assertions as if fully rewritten.

41.     Denied for lack of knowledge.

42.     Denied for lack of knowledge.

43.     Good Defendants admit that there are a few areas in the ground that show such concentrations but deny the remaining allegations of paragraph 43 for lack of knowledge.

44.     Denied for lack of knowledge.

45.     Denied.

46.     Denied.

47.     Denied.

48.     Denied.

49.     Denied.

50.     Denied.

## SECOND DEFENSE

51.     Plaintiff's claims are barred by the applicable statute of limitations.

## THIRD DEFENSE

52.     Good Defendants reserve the right to assert additional defenses that may become apparent as this case proceeds.

WHEREFORE, Defendants Good Rail & Truck Transfer, Inc. and R. Good Enterprises, LLC request that Plaintiff's Complaint be dismissed with prejudice, that judgment be entered in favor of the Good Defendants, and that the Good Defendants be granted such other relief as the Court deems just and equitable.

Respectfully submitted,

/s/ Donald J. Rafferty
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