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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

DEBRA BARNETT, GEORGIE HARTWIG,)
and BELLA BLAUBERGS, on their own behalf)
and on behalf of all others similarly situated,)

Plaintiffs,)

v.)

WAL-MART STORES, INC., a Delaware)
corporation, d/b/a WAL-MART, d/b/a SAM'S)
CLUB, d/b/a SUPERCENTER,)

Defendant.)

No. 01-2-24553-8 SEA

DEFENDANT'S ANSWER TO
THIRD AMENDED COMPLAINT;
AFFIRMATIVE AND OTHER
DEFENSES

Defendant, Wal-Mart Stores, Inc., d/b/a Wal-Mart, d/b/a Sam's Club d/b/a

SUPERCENTER (herein called "Wal-Mart") answers plaintiffs' Third Amended Complaint as follows:

1.1 Answering Paragraph 1.1 of the Third Amended Complaint, Wal-Mart admits that Debra Barnett, Georgie Hartwig, and Bella Blaubergs are former employees, but denies that any of them is a proper representative of the putative class identified therein, whether in Washington or any other venue and denies, as well, each and every remaining allegation as untrue.

2.1 Answering Paragraph 2.1 of the Third Amended Complaint, Wal-Mart admits that it transacts business within King County. Wal-Mart denies the allegations referenced by plaintiffs. Wal-Mart is without knowledge to admit or deny the residence of plaintiff Barnett.

1 2.2. Answering Paragraph 2.2 of the Third Amended Complaint, Wal-Mart admits
2 that it transacts business in King County, Washington. Wal-Mart denies all remaining
3 allegations contained therein as untrue and/or inaccurate.

4 2.3 Answering Paragraph 2.3 of the Third Amended Complaint, Wal-Mart is
5 without knowledge to admit or deny the total amount in controversy and avers that the
6 remaining allegations are conclusions as opposed to well-pled facts, and therefore, require no
7 response.

8 3.1 Answering Paragraph 3.1 of the Third Amended Complaint, Wal-Mart admits
9 that plaintiff Barnett was an employee of Wal-Mart. Wal-Mart denies all other allegations
10 contained therein as untrue.

11 3.2 Answering Paragraph 3.2 of the Third Amended Complaint, Wal-Mart admits
12 that plaintiff Hartwig was an employee of Wal-Mart. Wal-Mart denies all other allegations
13 contained therein as untrue.

14 3.3 Answering Paragraph 3.3 of the Third Amended Complaint, Wal-Mart admits
15 that plaintiff Blaubergs was an employee of Wal-Mart. Wal-Mart denies all other allegations
16 contained therein as untrue.

17 3.4 Wal-Mart admits the accuracy of its state of incorporation and headquarters and
18 that it employs over one thousand employees in Washington. Wal-Mart further admits that it
19 owns and operates stores throughout the state of Washington. Wal-Mart denies the accuracy of
20 all other allegations contained in paragraph 3.4.

21 3.5 Answering Paragraph 3.5 of the Third Amended Complaint, Wal-Mart admits
22 that Sam's Club stores are subsidiaries of Wal-Mart, Inc., and that there are two Sam's Club
23 stores in Washington.

24 4.1 Answering Paragraph 4.1 of the Third Amended Complaint, Wal-Mart avers that
25 it is a conclusion, as opposed to well-pled facts, and therefore, requires no response, except that
26 Wal-Mart denies that plaintiffs are proper representatives of the putative class, and denies that
27

