

Attachment 4 – Affirmative Defenses

Check all boxes that apply to your case.

Running of the Statute of Limitations

Defendant alleges that each and every cause of action is barred by the applicable statute of limitations.

Identity Theft

Defendant is a victim of identity theft and has no knowledge of this debt. Defendant has filed a police report for identity theft.

Special Rule for Credit Card

Defendant alleges that Plaintiff is subject to all claims and defenses that Defendant could assert against the merchant(s) who honored the credit case, pursuant to 15 USC §1666i.

Other Defenses (see attached)

The Plaintiff has a limited amount of time to sue you from the date the incident happened. Below are common time limits:

- a. **Personal Injury** 2 years from the injury or discovery of injury
- b. **Oral Contract** 2 years from the date the contract is broken
- c. **Written Contract** 4 years from the date the contract is broken
- d. **Property Damage** 3 years from the date the damage occurred