

CAUSE NO. D-1-GN-18-000441

HEATHER KUTYBA,	§	IN THE DISTRICT COURT
<i>Plaintiff,</i>	§	
	§	
v.	§	
	§	98TH JUDICIAL DISTRICT
TEXAS STATE BOARD OF	§	
VETERINARY MEDICAL	§	
EXAMINERS,	§	
<i>Defendant.</i>	§	TRAVIS COUNTY, TEXAS

DEFENDANT’S ORIGINAL ANSWER AND AFFIRMATIVE DEFENSES

Defendant, the Texas State Board of Veterinary Medical Examiners (“Board”), by and through the Office of the Attorney General of Texas and the undersigned Assistant Attorney General, files this Original Answer and Affirmative Defenses in the captioned proceeding. In support thereof, Defendant would respectfully show the Court the following:

I. GENERAL DENIAL

1.1. Defendant generally denies all of the allegations in Plaintiff’s Petition, and demands strict proof thereof.

II. AFFIRMATIVE DEFENSES

2.1. Defendant asserts the defense of sovereign immunity to any and all requests for relief not specifically authorized by statute.

2.2. Defendant asserts its right to raise additional defenses that become apparent throughout the further development of the case.

III. PRAYER

Defendant requests this Court to enter a judgment that Plaintiff take nothing by reason of this suit, and that all court costs be taxed and adjudged against her.

Defendant further prays for such other relief to which it may be justly entitled.

Dated: February 23, 2018.

Respectfully submitted,

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Attorney General of Texas

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First Assistant Attorney General

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Deputy First Assistant Attorney General

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NICHOLE BUNKER-HENDERSON
Chief, Administrative Law Division

/s/ Ted A. Ross

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and forgoing document has been served to the following on the 23rd day of February, 2018 to the following parties:

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Via E-Service

/s/ Ted A. Ross
Ted A. Ross
Assistant Attorney General