

Republic of the Philippines
REGIONAL TRIAL COURT
Iloilo City

MARIO A. BRAZAS,

Plaintiff,

Civil Case No. _____

versus

ABC Transportation Company,

Defendant,

X-----X

A N S W E R
W I T H
M O T I O N T O D I S M I S S

COMES NOW, the Defendant, through the undersigned counsel, and unto this Honorable Court, most respectfully avers:

1. That Defendant ADMITS the averments in paragraph 1 of the complaint with regard to the personal circumstances of both parties.
2. That Defendant ADMITS only that on December 1, 2012, at around 8:30 a.m., along General Luna St., Plaintiff rode in one of the taxis operated by Defendant, as cited in paragraph 2 of the complaint. Defendant specifically DENIES the rest of the allegations in paragraph 2 of the complaint.
3. That Julio Gomez, the driver of said taxi and employee of Defendant, instructed Plaintiff to fasten his seatbelt as Plaintiff was sitting at the front seat with the driver. However, Plaintiff did not heed the driver's instruction despite a second and third reminder which otherwise could have surely prevented Plaintiff's injury had he followed such instructions.
4. That prior to having hit the electric post, the driver was compelled by Plaintiff to drive at breakneck speed, in spite of driver's apprehension, because Plaintiff was in a hurry to catch his flight at the airport.
5. That due to aforesaid compulsion by Plaintiff, the driver, who was at a fast speed at the instance of the Plaintiff, was greatly disturbed and troubled of the Plaintiff's continuing insistence to drive faster although the taxi was already running at a fast

Answer To Motion To Dismiss

Katrin Zwirgmaier



Answer To Motion To Dismiss:

The Code of Federal Regulations of the United States of America, 1966 The Code of Federal Regulations is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government Code of Federal Regulations, 1998 **Official Gazette** Philippines, 2010 Rules and Regulations United States. Federal Communications Commission, 1987 **Code of Federal Regulations** United States. Internal Revenue Service, 2008 Special edition of the Federal register containing a codification of documents of general applicability and future effect as of April 1 with ancillaries FCC Record United States. Federal Communications Commission, 1992 *Code of Federal Regulations, Title 49, Transportation, Pt. 1200-End, Revised as of October 1, 2009* Office of the Federal Register, 2009-12-23 *Chitty's Index to All the Reported Cases Decided in the Several Courts of Equity in England, the Privy Council, and the House of Lords* Edward Chitty, 1887 **An Index to All the Reported Cases, Statutes, and General Orders, Relating to the Principles, Pleadings and Practice of Equity and Bankruptcy in the Courts of Equity in England and Ireland, the Privy Council, and the House of Lords from the Earliest Period Down to the Year 1831** Edward CHITTY (Barrister-at-Law), 1853 *An Index to All the Reported Cases Decided in the Several Courts of Equity in England and Ireland, the Privy Council, and the House of Lords* Edward Chitty, 1853 *Litigation Handbook on West Virginia Rules of Civil Procedure - Fourth Edition* Franklin D. Cleckley, Robin Jean Davis, Louis J. Palmer, Jr., 2015-01-01 January 2015 Cumulative Pocket Part The Litigation Handbook On West Virginia Rules of Civil Procedure Fourth Edition provides a meaningful and thorough starting point for any practitioner seeking a fundamental understanding of the application of the West Virginia rules of civil procedure For ease and convenience the material in this new Handbook has been organized to correspond with actual rule citations For example 12 b 6 of the Handbook corresponds with Rule 12 b 6 of the rules of civil procedure Therefore if a practitioner knows the particular rule citation under consideration he or she need only find the corresponding section citation in this Handbook for a discussion of the particular rule The Fourth Edition cites per curiam opinions issued by the state Supreme Court and also provides federal case law construing the federal rules of civil procedure As the practitioner knows West Virginia's rules of civil procedure are patterned after the federal rules With this knowledge in mind the Handbook offers as persuasive authority federal decisions construing the federal rules As a practical matter the Handbook limits its use of federal case law to areas that the state Supreme Court has not issued controlling opinions upon This Handbook is an invaluable tool for both the bench and bar Order Litigation Handbook on West Virginia Rules of Civil Procedure Fourth Edition for your office today *United States Code* United States, 2018 Rules Adopted by the Committees of the House of Representatives United States. Congress. House, 1991 *Federal Aviation Administration's Civil Penalties Program* United States. Congress. House. Committee on Public Works and Transportation. Subcommittee on Aviation, 1992 *Conduct of Harold Louderback, United States District Judge, Northern District of*

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