

allegations contained in Paragraph 52 of the Complaint and states further that the specific and precise locations of geographical features, insofar as any are relevant, are not completely and accurately alleged in Paragraph 52 of the Complaint.

53. Defendant Beatrice Foods Co. admits that the land consists, in part, of wooded fields and marshlands and has a dirt road through a portion of it. Defendant Beatrice Foods Co. denies the remaining allegations contained in Paragraph 53 of the Complaint.

54. Defendant Beatrice Foods Co. denies the allegations contained in Paragraph 54 of the Complaint.

55. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 55 of the Complaint.

56. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 56 of the Complaint.

57. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 57 of the Complaint.

58. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 58 of the Complaint.

59. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 59 of the Complaint.

60. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 60 of the Complaint.

61. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 61 of the Complaint.

62. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 62 of the Complaint.

63. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 63 of the Complaint.

64. Defendant Beatrice Foods Co. denies that any injury or harm which the plaintiffs may have suffered is a result of any action or omission of defendant Beatrice Foods Co. or its Division John J. Riley Company.

65. Defendant Beatrice Foods Co. lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 65 of the Complaint.

A. Defendant Beatrice Foods Co. restates and incorporates by reference its responses to Paragraphs 1 through 65.

B. Defendant Beatrice Foods Co. denies the allegations contained in Paragraph B of the Complaint insofar as they relate to it and its Division John J. Riley, Co.

C. Defendant Beatrice Foods Co. denies the allegations contained in Paragraph C of the Complaint.

D. Defendant Beatrice Foods Co. denies the allegations contained in Paragraph D of the Complaint.

E. Defendant Beatrice Foods Co. denies to allegations contained in Paragraph E of the Complaint.

F. Defendant Beatrice Foods Co. denies the allegations contained in Paragraph F of the Complaint.

G. Defendant Beatrice Foods Co. restates and incorporates by reference its responses to Paragraphs 1-65 and A-F.

H. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph H of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph H of the Complaint contains any allegations of fact, defendant denies such allegations.

I. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph I of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph I of the Complaint contains any allegations of fact, defendant denies such allegations.

J. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph J of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph J of the Complaint contains any allegations of fact, defendant denies such allegations.

K. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph K of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph K of the Complaint contains any allegations of fact, defendant denies such allegations.

L. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph L of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph L of the Complaint contains any allegations of fact, defendant denies such allegations.

M. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph M of the Complaint assert conclusions of law to which no response is required. To the

extent that Paragraph M of the Complaint contains any allegations of fact, defendant denies such allegations.

N. Defendant Beatrice Foods Co. restates and incorporates by reference its responses to Paragraphs 1 through 65 and A through M.

O. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph O of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph O of the Complaint contains any allegations of fact, defendant denies such allegations.

P. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph P of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph P of the Complaint contains any allegations of fact, defendant denies such allegations.

Q. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph Q of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph Q of the Complaint contains any allegations of fact, defendant denies such allegations.

R. Defendant Beatrice Foods Co. restates and incorporates by reference its responses to Paragraphs 1 through 65 and A through Q.

S. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph S of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph S of the Complaint contains any allegations of fact, defendant denies such allegations.

T. Defendant Beatrice Foods Co. restates and incorporates by reference its responses to Paragraphs 1 through 65 and A through S.

U. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph U of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph U of the Complaint contains any allegations of fact, defendant denies such allegations.

V. Defendant Beatrice Foods Co. states that the allegations contained in Paragraph V of the Complaint assert conclusions of law to which no response is required. To the extent that Paragraph V of the Complaint contains any allegations of fact, defendant denies such allegations.

SECOND DEFENSE

Plaintiffs' Complaint, in whole or in part, fails to state any claim or cause of action upon which relief may be granted.

THIRD DEFENSE

Plaintiffs' Complaint misnames Beatrice Foods Co. as Beatrice Foods, Inc. and it misnames John J. Riley Company as John J. Riley Company, Inc.

FOURTH DEFENSE

Defendant Beatrice Foods Co. at all times exercised due care under the circumstances and acted in good faith and in accordance with reasonable and customary standards in the industry and the locality.

FIFTH DEFENSE

Any contamination of the ground water referred to in the Complaint is the result, in whole or in part, of actions of others for which conduct defendant Beatrice Foods Co. is not responsible. Accordingly, plaintiffs' claims are barred, in whole or in part, or any damages which may have been sustained by plaintiffs must be apportioned according to the relative contributions of all such persons.

SIXTH DEFENSE

Plaintiff's claims are barred, in whole or part, by the applicable statute of limitations.

SEVENTH DEFENSE

Plaintiffs have failed to join parties known to plaintiffs that are indispensable to the just adjudication of this litigation.

EIGHTH DEFENSE

Plaintiffs' claims at common law are preempted, in whole or in part, by applicable federal and state statutes in the field of water and air pollution and solid and hazardous waste management.

NINTH DEFENSE

Plaintiffs' claims are barred, in whole or in part, because their own negligence exceeded any negligence, which negligence is expressly denied, by defendant Beatrice Foods Co.

TENTH DEFENSE

Plaintiffs' claims are barred, in whole or in part, by the doctrine of estoppel.

ELEVENTH DEFENSE

Plaintiffs' claims are barred, in whole or in part, by the doctrine of assumption of risk.

TWELFTH DEFENSE

Defendant Beatrice Foods Co.'s acts or omissions, if any, were neither the cause in fact nor the legal cause of any alleged introduction of materials into the environment. Instead, the intervening acts of other third parties over whom Beatrice Foods Co. exercised no control were the efficient and superseding cause of the harm, if any, asserted in plaintiffs' complaint.

THIRTEENTH DEFENSE

At all relevant times defendant Beatrice Foods Co. acted reasonably and in good faith and with due care for the rights and safety of others.

FOURTEENTH DEFENSE

Plaintiffs' claims are barred, in whole or in part, by the doctrine of laches.

FIFTEENTH DEFENSE

Plaintiffs are barred from recovery, in whole or in part, or their claims are reduced in an appropriate amount, for their failure to mitigate their alleged damages, if any.

