

Exhibit B

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID SCHIED,

Plaintiff,

v.

Case No. 2: 08-cv-10005

Honorable Paul D. Borman

Magistrate Judge Steven R. Whalen

THOMAS A. DAVIS, JR., in his official capacity as Director of Texas Department of Public Safety, JENNIFER GRANHOLM, in her official capacity as Chairperson of the State of Michigan Administrative Board, LEONARD REZMIERSKI, in his official capacity as Northville Public Schools Superintendent, SANDRA HARRIS, in her official capacity as former Lincoln Consolidated Public Schools Superintendent, and FRED J. WILLIAMS, in his official capacity as Lincoln Consolidated Public Schools Superintendent,

Defendants.

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ANSWER TO COMPLAINT

NOW COME Defendants, Sandra Harris and Fred J. Williams, by and through their attorneys, Plunkett Cooney, and in response to Plaintiff's Complaint state as follows:

JURISDICTION

1. Defendants deny the allegations set forth in paragraph 1.

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1. a. Defendants neither admit nor deny the allegations set forth in paragraph 1.a. for lack of sufficient information and belief, leaving Plaintiff to his proofs.

1. b. Defendants neither admit nor deny the allegations set forth in paragraph 1.b. for lack of sufficient information and belief, leaving Plaintiff to his proofs.

1. c. Defendants neither admit nor deny the allegations set forth in paragraph 1.c. for lack of sufficient information and belief, leaving Plaintiff to his proofs.

1. d. Defendants deny that they “intentionally disregarded” any official pleadings, documents or other materials related to Plaintiff’s criminal conviction. The remainder of the allegation is admitted inclusive of sub paragraphs (i) – (iii).

1. e. Defendants deny the allegations set forth in paragraph 1.e.

2. Defendants deny the allegations set forth in paragraph 2, inclusive of sub paragraphs a.-o.

3. Defendants deny the allegations set forth in paragraph 3.

4. Defendants plead no contest to the allegations contained in paragraph 4.

5. Defendants neither admit nor deny the allegations set forth in paragraph 5 for lack of sufficient information and belief, leaving Plaintiff to his proofs.

6. Defendants neither admit nor deny the allegations set forth in paragraph 6 for lack of sufficient information and belief, leaving Plaintiff to his proofs.

7. Defendants neither admit nor deny the allegations set forth in paragraph 7 for lack of sufficient information and belief, leaving Plaintiff to his proofs.

8. Defendant admits that she was the Superintendent at Lincoln Consolidated Schools and denies violating any duty she may have owed to Plaintiff.

9. Fred J. Williams did not become the Superintendent until sometime after Plaintiff had been discharged from Lincoln Consolidated Schools. By way of further answer, Defendant Fred J. Williams acknowledges those duties imposed are the laws of the State of Michigan and the laws of the United States, and denies breaching same, inclusive of sub paragraphs a.-b.

BACKGROUND AND ALLEGATIONS

10. Upon information and belief, David Schied pled guilty to a felony in the state of Texas. Upon further information and belief, the crime to which Mr. Schied admitted was a violent crime.

11. Defendants neither admit nor deny the allegations set forth in paragraph 11 for lack of sufficient information and belief, leaving Plaintiff to his proofs.

12. Defendants neither admit nor deny the allegations set forth in paragraph 12 for lack of sufficient information and belief, leaving Plaintiff to his proofs.

13. Defendants neither admit nor deny the allegations set forth in paragraph 13 for lack of sufficient information and belief, leaving Plaintiff to his proofs.

14. Defendants neither admit nor deny the allegations set forth in paragraph 14, inclusive of sub paragraphs a.-u. for lack of sufficient information and belief, leaving Plaintiff to his proofs.

15. Defendants deny the allegations set forth in paragraph 15.

16. Defendants deny the allegations set forth in paragraph 16, inclusive of sub paragraphs a.- e.

INJUNCTIVE RELIEF

17. Defendants deny the allegations set forth in paragraph 16, inclusive of sub paragraphs a.- c.

18. Defendants deny the allegations set forth in paragraph 18.

19. Defendants deny the allegations set forth in paragraph 19.

20. Defendants deny that Plaintiff presents a meritorious cause of action or that Plaintiff has been damaged by any acts associated with these Defendants.

PLUNKETT COONEY

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Dated: January 18, 2008

DEMAND FOR JURY TRIAL

NOW COME Defendants, Sandra Harris and Fred J. Williams, by and through their attorneys, Plunkett Cooney, and hereby demand a trial by jury in the above-entitled matter.

PLUNKETT COONEY

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AFFIRMATIVE DEFENSES

NOW COME Defendants, Susan Harris and Fred J. Williams, by and through their attorneys, Plunkett Cooney, and submit the following Affirmative Defenses to be relied upon at the time of trial.

1. Plaintiff's claim is barred by the doctrine of *res judicata*.
2. Plaintiff's claim is barred by the doctrine of collateral estoppel.
3. Plaintiff's claim is barred by the absolute governmental immunity afforded to the highest elected or appointed official -- the Superintendent of Lincoln Consolidated Public Schools.
4. Plaintiff's claim is barred by qualified immunity afforded to these Defendants.
5. Defendants reserve the right to amend these Affirmative Defenses up until the time of trial.

PLUNKETT COONEY

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Dated: January 18, 2008

CERTIFICATE OF SERVICE

I, Michael D. Weaver, as counsel in this case for Defendants Sandra Harris and Fred J. Williams, hereby certify that on January 18, 2008, a copy of the foregoing Answer to Complaint, Demand for Jury Trial, Affirmative Defenses and Certificate of Service were filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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