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*Attorney for Defendants Kenneth E. Wilber, Robert A. Richards,
Colin Bigelow, Integral Initiatives, LLC and 21C Corporation*

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF UTAH**

<p>MAX MARMER, an individual, JONATHAN RONCA, an individual, JOSEPH REISS, an individual, BRANDON BOZARTH, an individual, STANLEY DAWEJKO, an individual, MICHAEL POLE, an individual, and MULTIDIMENSIONAL CAPITAL, a California-based limited partnership,, Plaintiffs,</p> <p>vs.</p> <p>JOSEPH P. FIRMAGE, an individual, ROBERT A. RICHARDS, an individual, KENNETH E. WILBER, an individual, COLIN BIGELOW, an individual, PAULA COLLINS, a.k.a. Paulette Collins, an individual, VIRGINIA MENLOVE, an individual, JAIRO TORO, an individual, DAVID HESTENES, an individual, MICHAEL MAY, an individual, RIVER JUDD, an individual, INTEGRAL INITIATIVES LLC, a Colorado-based company, 21C CORPORATION, a Colorado-based corporation, SCIENCE INVENTS LLC, Utah-based company, MOTION PHYSICS LLC, a Utah-based company, MANYONE LLC, a Utah-based company, MANYONE WORLD, LLC, a Utah-based company, ACADEMY OF SCIENCES AND ARTS, LLC, d.b.a. INTERNASA, a Utah-based company, INTERNASA, LLC, a Utah-based company, and UNKNOWN DEFENDANTS 1-10, inclusive, Defendants.</p>	<p style="text-align: center;">THE WILBER DEFENDANTS’ ANSWER TO PLAINTIFFS’ COMPLAINT</p> <p style="text-align: center;">Case No. 2:23-cv -00580-JNP-JCB</p> <p style="text-align: center;">Honorable Jill N. Parrish</p>
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COME NOW defendants Kenneth E. Wilber, Robert A. Richards, Colin Bigelow, Integral Initiatives, LLC and 21C Corporation (the “Wilber Defendants”), by and through their counsel of record, to answer the allegations set forth in the Complaint of plaintiffs Max Marmer, Jonathan Ronca, Joseph Reiss, Brandon Bozarth, Stanley Dawejko, Michael Pole and Multidimensional Capital (“plaintiffs”) as follows:

INTRODUCTION

The Wilber Defendants deny their support for the propulsion technology involved making any false or misleading statements or engaging in any false or misleading conduct. To the contrary, plaintiffs, particularly Max Marmer, were fully informed of every aspect of Firmage's efforts to enter into contracts with Federal Government agencies and how monies plaintiffs invested would be utilized and paid back. The Wilber Defendants deny that they utilized plaintiffs' investment money to pay themselves anything and they deny that they in any way misused their position within the "Integral Community" to raise funds.

To the contrary, to the extent plaintiffs relied on anyone to their detriment it is lead plaintiff Max Marmer who dealt directly with Firmage on numerous occasions, who had multiple discussions with Richards in which Richards fully explained the structure, risks and rewards of the anticipated transaction as well as potential risks and obstacles that could hinder success of the investment.

THE PARTIES

1. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 1 of plaintiffs' Complaint and therefore deny them.

2. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 2 of plaintiffs' Complaint and therefore deny them.

3. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 3 of plaintiffs' Complaint and therefore deny them.

4. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 4 of plaintiffs' Complaint and therefore deny them.

5. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 5 of plaintiffs' Complaint and therefore deny them.

6. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 6 of plaintiffs' Complaint and therefore deny them.

7. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 7 of plaintiffs' Complaint and therefore deny them.

8. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 8 of plaintiffs' Complaint and therefore deny them.

9. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 9 of plaintiffs' Complaint and therefore deny them.

10. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 10 of plaintiffs' Complaint and therefore deny them.

11. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 11 of plaintiffs' Complaint and therefore deny them.

12. The allegations set forth in paragraph 12 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

13. The allegations set forth in paragraph 13 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

14. The allegations set forth in paragraph 14 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

15. The allegations set forth in paragraph 15 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

16. The allegations set forth in paragraph 16 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

17. The allegations set forth in paragraph 17 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

18. The allegations set forth in paragraph 18 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

19. The allegations set forth in paragraph 19 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

20. The allegations set forth in paragraph 20 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

21. The allegations set forth in paragraph 21 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

22. The Wilber Defendants admit the allegations set forth in paragraph 22 of plaintiffs' Complaint.

23. The Wilber Defendants admit that Richards had a personal services agreement with Firmage. Except as expressly admitted herein, the Wilber Defendants deny the allegations set forth in paragraph 23 of plaintiffs' Complaint.

24. The Wilber Defendants admit the allegations set forth in paragraph 24 of plaintiffs' Complaint.

25. The Wilber Defendants admit the allegations set forth in paragraph 25 of plaintiffs' Complaint.

26. The Wilber Defendants admit the allegations set forth in paragraph 26 of plaintiffs' Complaint.

27. The Wilber Defendants admit that Ken Wilber is an associate of Richards. Except as expressly admitted herein, the Wilber Defendants deny the allegations set forth in paragraph 27 of plaintiffs' Complaint.

28. The Wilber Defendants admit the allegations set forth in paragraph 28 of plaintiffs' Complaint.

29. The Wilber Defendants admit the allegations set forth in paragraph 29 of plaintiffs' Complaint.

30. The Wilber Defendants admit the allegations set forth in paragraph 30 of plaintiffs' Complaint.

31. The Wilber Defendants admit the allegations set forth in paragraph 31 of plaintiffs' Complaint.

32. The Wilber Defendants admit the allegations set forth in paragraph 32 of plaintiffs' Complaint.

33. The allegations set forth in paragraph 33 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

34. The allegations set forth in paragraph 34 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

35. The allegations set forth in paragraph 35 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

36. The allegations set forth in paragraph 36 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

37. The allegations set forth in paragraph 37 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

38. The allegations set forth in paragraph 38 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

39. The allegations set forth in paragraph 39 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

40. The allegations set forth in paragraph 40 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

41. The allegations set forth in paragraph 41 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

42. The allegations set forth in paragraph 42 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

43. The allegations set forth in paragraph 43 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

44. The allegations set forth in paragraph 44 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

45. The allegations set forth in paragraph 45 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

46. The allegations set forth in paragraph 46 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

47. The allegations set forth in paragraph 47 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

48. The allegations set forth in paragraph 48 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

49. The allegations set forth in paragraph 49 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

50. The allegations set forth in paragraph 50 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

51. The allegations set forth in paragraph 51 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

52. The allegations set forth in paragraph 52 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

53. The allegations set forth in paragraph 53 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

54. The allegations set forth in paragraph 54 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

55. The allegations set forth in paragraph 55 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

56. The allegations set forth in paragraph 56 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

57. The allegations set forth in paragraph 57 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

58. The allegations set forth in paragraph 58 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

JURISDICTION AND VENUE

59. The allegations set forth in paragraph 59 assert legal conclusions to which no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

60. The allegations set forth in paragraph 60 assert legal conclusions to which no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

61. The allegations set forth in paragraph 61 assert legal conclusions to which no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

62. The Wilber Defendants admit the allegations set forth in paragraph 62 of plaintiffs' Complaint.

63. The Wilber Defendants deny the allegations set forth in paragraph 63 of plaintiffs' Complaint.

64. The Wilber Defendants deny the allegations set forth in paragraph 64 of plaintiffs' Complaint.

65. The Wilber Defendants admit that Richards had a personal services agreement with Firmage. Except as expressly admitted herein, the Wilber Defendants deny the allegations set forth in paragraph 65 of plaintiffs' Complaint.

66. The allegations set forth in paragraph 66 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

67. The allegations set forth in paragraph 67 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

68. The Wilber Defendants deny the allegations set forth in paragraph 68 of plaintiffs' Complaint.

69. The Wilber Defendants admit that Richards informed Marmer that other members of the so-called Integral Community had invested in the propulsion technology in some fashion

over the years. Except as expressly admitted herein, the Wilber Defendants deny the allegations set forth in paragraph 69 of plaintiffs' Complaint.

70. The Wilber Defendants admit the allegations set forth in paragraph 70 of plaintiffs' Complaint.

71. The Wilber Defendants admit the allegations set forth in paragraph 71 of plaintiffs' Complaint.

72. The Wilber Defendants deny the allegations set forth in paragraph 72 of plaintiffs' Complaint.

73. The Wilber Defendants deny the allegations set forth in paragraph 73 of plaintiffs' Complaint.

74. The Wilber Defendants deny the allegations set forth in paragraph 74 of plaintiffs' Complaint.

75. The Wilber Defendants deny the allegations set forth in paragraph 75 of plaintiffs' Complaint.

76. The Wilber Defendants deny the allegations set forth in paragraph 76 of plaintiffs' Complaint.

77. The Wilber Defendants deny the allegations set forth in paragraph 77 of plaintiffs' Complaint.

78. The Wilber Defendants deny the allegations set forth in paragraph 78 of plaintiffs' Complaint.

79. The Wilber Defendants deny the allegations set forth in paragraph 79 of plaintiffs' Complaint.

80. The Wilber Defendants deny the allegations set forth in paragraph 80 of plaintiffs' Complaint.

81. The Wilber Defendants deny the allegations set forth in paragraph 81 of plaintiffs' Complaint.

82. The Wilber Defendants deny the allegations set forth in paragraph 82 of plaintiffs' Complaint.

83. The Wilber Defendants deny the allegations set forth in paragraph 83 of plaintiffs' Complaint.

84. The Wilber Defendants deny the allegations set forth in paragraph 84 of plaintiffs' Complaint.

85. The Wilber Defendants deny the allegations set forth in paragraph 85 of plaintiffs' Complaint.

86. The Wilber Defendants deny the allegations set forth in paragraph 86 of plaintiffs' Complaint.

87. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 87 of plaintiffs' Complaint and therefore deny them.

88. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 88 of plaintiffs' Complaint and therefore deny them.

89. The Wilber Defendants deny the allegations set forth in paragraph 89 of plaintiffs' Complaint.

90. The Wilber Defendants deny the allegations set forth in paragraph 90 of plaintiffs' Complaint.

91. The Wilber Defendants deny the allegations set forth in paragraph 91 of plaintiffs' Complaint.

92. The Wilber Defendants deny the allegations set forth in paragraph 92 of plaintiffs' Complaint.

93. The Wilber Defendants deny the allegations set forth in paragraph 93 of plaintiffs' Complaint.

94. The Wilber Defendants deny the allegations set forth in paragraph 94 of plaintiffs' Complaint.

95. The Wilber Defendants deny the allegations set forth in paragraph 95 of plaintiffs' Complaint.

96. The Wilber Defendants deny the allegations set forth in paragraph 96 of plaintiffs' Complaint.

97. The Wilber Defendants deny the allegations set forth in paragraph 97 of plaintiffs' Complaint.

98. The Wilber Defendants deny the allegations set forth in paragraph 98 of plaintiffs' Complaint.

99. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 99 of plaintiffs' Complaint and therefore deny them.

100. The Wilber Defendants deny that they directed plaintiffs to do anything with their \$35,000.

101. The Wilber Defendants deny the allegations set forth in paragraph 101 of plaintiffs' Complaint.

102. The allegations set forth in paragraph 102 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

103. The allegations set forth in paragraph 103 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

104. The Wilber Defendants deny the allegations set forth in paragraph 104 of plaintiffs' Complaint.

105. The Wilber Defendants deny the allegations set forth in paragraph 105 of plaintiffs' Complaint.

106. The Wilber Defendants deny the allegations set forth in paragraph 106 of plaintiffs' Complaint.

107. The allegations set forth in paragraph 107 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

108. The allegations set forth in paragraph 108 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

109. The allegations set forth in paragraph 109 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

110. The allegations set forth in paragraph 110 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

111. The Wilber Defendants admit the allegations set forth in paragraph 111 of plaintiffs' Complaint.

112. The allegations set forth in paragraph 112 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

113. The Wilber Defendants deny the allegations set forth in paragraph 113 of plaintiffs' Complaint.

114. The Wilber Defendants deny the allegations set forth in paragraph 114 of plaintiffs' Complaint.

115. The allegations set forth in paragraph 115 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

116. The allegations set forth in paragraph 116 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

117. The allegations set forth in paragraph 117 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

118. The allegations set forth in paragraph 118 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

119. The Wilber Defendants deny the allegations set forth in paragraph 119 of plaintiffs' Complaint.

120. The allegations set forth in paragraph 120 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

121. The allegations set forth in paragraph 121 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

122. The Wilber Defendants deny the allegations set forth in paragraph 122 of plaintiffs' Complaint.

123. The Wilber Defendants deny the allegations set forth in paragraph 123 of plaintiffs' Complaint.

124. The Wilber Defendants deny the allegations set forth in paragraph 124 of plaintiffs' Complaint.

125. The Wilber Defendants deny the allegations set forth in paragraph 125 of plaintiffs' Complaint.

126. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 126 of plaintiffs' Complaint and therefore deny them.

127. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 127 of plaintiffs' Complaint and therefore deny them.

128. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 128 of plaintiffs' Complaint and therefore deny them.

129. The allegations set forth in paragraph 129 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

130. The allegations set forth in paragraph 130 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

131. The allegations set forth in paragraph 131 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

132. The allegations set forth in paragraph 132 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

133. The allegations set forth in paragraph 133 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

134. The allegations set forth in paragraph 134 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

135. The allegations set forth in paragraph 135 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

136. The allegations set forth in paragraph 136 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

137. The allegations set forth in paragraph 137 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

138. The allegations set forth in paragraph 138 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

139. The Wilber Defendants are without sufficient information to admit or deny the allegations set forth in paragraph 139 of plaintiffs' Complaint and therefore deny them.

140. The Wilber Defendants deny the allegations set forth in paragraph 140 of plaintiffs' Complaint.

141. The Wilber Defendants deny the allegations set forth in paragraph 141 of plaintiffs' Complaint.

142. The Wilber Defendants deny the allegations set forth in paragraph 142 of plaintiffs' Complaint.

143. The Wilber Defendants deny the allegations set forth in paragraph 143 of plaintiffs' Complaint.

144. The Wilber Defendants deny the allegations set forth in paragraph 144 of plaintiffs' Complaint.

145. The Wilber Defendants deny the allegations set forth in paragraph 145 of plaintiffs' Complaint.

146. The Wilber Defendants deny the allegations set forth in paragraph 146 of plaintiffs' Complaint.

147. The Wilber Defendants deny the allegations set forth in paragraph 147 of plaintiffs' Complaint.

148. The allegations set forth in paragraph 148 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

149. The allegations set forth in paragraph 149 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

150. The allegations set forth in paragraph 150 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

151. The allegations set forth in paragraph 151 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

152. The allegations set forth in paragraph 152 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

153. The allegations set forth in paragraph 153 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

154. The allegations set forth in paragraph 154 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

155. The allegations set forth in paragraph 155 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

156. The allegations set forth in paragraph 156 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

157. The allegations set forth in paragraph 157 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

158. The allegations set forth in paragraph 158 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

159. The allegations set forth in paragraph 159 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

160. The allegations set forth in paragraph 160 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

161. The allegations set forth in paragraph 161 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

162. The Wilber Defendants deny the allegations set forth in paragraph 162 of plaintiffs' Complaint.

163. The Wilber Defendants deny the allegations set forth in paragraph 163 of plaintiffs' Complaint.

164. The Wilber Defendants admit the allegations set forth in paragraph 164 of plaintiffs' Complaint.

165. The Wilber Defendants admit the allegations set forth in paragraph 165 of plaintiffs' Complaint.

166. The allegations set forth in paragraph 166 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

167. The allegations set forth in paragraph 167 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

168. The allegations set forth in paragraph 168 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

169. The allegations set forth in paragraph 169 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

170. The allegations set forth in paragraph 170 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

171. The allegations set forth in paragraph 171 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

172. The allegations set forth in paragraph 172 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

173. The allegations set forth in paragraph 173 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

174. The allegations set forth in paragraph 174 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

175. The allegations set forth in paragraph 175 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

176. The allegations set forth in paragraph 176 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

177. The allegations set forth in paragraph 177 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

178. The allegations set forth in paragraph 178 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

179. The allegations set forth in paragraph 179 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

180. The allegations set forth in paragraph 180 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

181. The allegations set forth in paragraph 181 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

182. The Wilber Defendants admit the allegations set forth in paragraph 182 of plaintiffs' Complaint.

183. The allegations set forth in paragraph 183 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

184. The Wilber Defendants deny the allegations set forth in paragraph 184 of plaintiffs' Complaint.

185. The Wilber Defendants deny the allegations set forth in paragraph 185 of plaintiffs' Complaint.

186. The allegations set forth in paragraph 186 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

187. The allegations set forth in paragraph 187 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

188. The Wilber Defendants deny the allegations set forth in paragraph 188 of plaintiffs' Complaint.

189. The Wilber Defendants deny the allegations set forth in paragraph 189 of plaintiffs' Complaint.

190. The Wilber Defendants deny the allegations set forth in paragraph 190 of plaintiffs' Complaint.

191. The Wilber Defendants deny the allegations set forth in paragraph 191 of plaintiffs' Complaint.

192. The Wilber Defendants deny the allegations set forth in paragraph 192 of plaintiffs' Complaint.

193. The Wilber Defendants deny the allegations set forth in paragraph 193 of plaintiffs' Complaint.

194. The Wilber Defendants deny the allegations set forth in paragraph 194 of plaintiffs' Complaint.

195. The allegations set forth in paragraph 195 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

196. The allegations set forth in paragraph 196 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

197. The Wilber Defendants deny the allegations set forth in paragraph 197 of plaintiffs' Complaint.

198. The Wilber Defendants deny the allegations set forth in paragraph 198 of plaintiffs' Complaint.

199. The Wilber Defendants deny the allegations set forth in paragraph 199 of plaintiffs' Complaint.

200. The Wilber Defendants deny the allegations set forth in paragraph 200 of plaintiffs' Complaint.

201. The Wilber Defendants deny the allegations set forth in paragraph 201 of plaintiffs' Complaint.

202. The Wilber Defendants deny the allegations set forth in paragraph 202 of plaintiffs' Complaint.

203. The Wilber Defendants deny the allegations set forth in paragraph 203 of plaintiffs' Complaint.

204. The Wilber Defendants deny the allegations set forth in paragraph 204 of plaintiffs' Complaint.

205. The allegations set forth in paragraph 205 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

206. The allegations set forth in paragraph 206 do not pertain to the Wilber Defendants and therefore no response is required. To the extent a response is required, the Wilber Defendants deny the allegations.

207. The Wilber Defendants deny the allegations set forth in paragraph 207 of plaintiffs' Complaint.

208. The Wilber Defendants deny the allegations set forth in paragraph 208 of plaintiffs' Complaint.

209. The Wilber Defendants deny the allegations set forth in paragraph 209 of plaintiffs' Complaint.

210. The Wilber Defendants deny the allegations set forth in paragraph 210 of plaintiffs' Complaint.

211. The Wilber Defendants deny the allegations set forth in paragraph 211 of plaintiffs' Complaint.

212. The Wilber Defendants deny the allegations set forth in paragraph 212 of plaintiffs' Complaint.

213. The Wilber Defendants deny the allegations set forth in paragraph 213 of plaintiffs' Complaint.

214. The Wilber Defendants deny the allegations set forth in paragraph 214 of plaintiffs' Complaint.

215. The Wilber Defendants deny the allegations set forth in paragraph 215 of plaintiffs' Complaint.

216. The Wilber Defendants deny the allegations set forth in paragraph 216 of plaintiffs' Complaint.

217. The Wilber Defendants deny the allegations set forth in paragraph 217 of plaintiffs' Complaint.

218. The Wilber Defendants deny the allegations set forth in paragraph 218 of plaintiffs' Complaint.

219. The Wilber Defendants deny the allegations set forth in paragraph 219 of plaintiffs' Complaint.

220. The Wilber Defendants deny the allegations set forth in paragraph 220 of plaintiffs' Complaint.

221. The Wilber Defendants deny the allegations set forth in paragraph 221 of plaintiffs' Complaint.

222. The Wilber Defendants deny the allegations set forth in paragraph 222 of plaintiffs' Complaint.

223. The Wilber Defendants deny the allegations set forth in paragraph 223 of plaintiffs' Complaint.

COUNT ONE

224. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 223 of plaintiffs' Complaint.

225. The Wilber Defendants deny the allegations set forth in paragraph 225 of plaintiffs' Complaint.

226. The Wilber Defendants deny the allegations set forth in paragraph 226 of plaintiffs' Complaint.

227. The Wilber Defendants deny the allegations set forth in paragraph 227 of plaintiffs' Complaint.

228. The Wilber Defendants deny the allegations set forth in paragraph 228 of plaintiffs' Complaint.

229. The Wilber Defendants deny the allegations set forth in paragraph 229 of plaintiffs' Complaint.

230. The Wilber Defendants deny the allegations set forth in paragraph 230 of plaintiffs' Complaint.

231. The Wilber Defendants deny the allegations set forth in paragraph 231 of plaintiffs' Complaint.

232. The Wilber Defendants deny the allegations set forth in paragraph 232 of plaintiffs' Complaint.

233. The Wilber Defendants deny the allegations set forth in paragraph 233 of plaintiffs' Complaint.

COUNT TWO

234. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 233 of plaintiffs' Complaint.

235. The Wilber Defendants deny the allegations set forth in paragraph 235 of plaintiffs' Complaint.

236. The Wilber Defendants deny the allegations set forth in paragraph 236 of plaintiffs' Complaint.

237. The Wilber Defendants deny the allegations set forth in paragraph 237 of plaintiffs' Complaint.

238. The Wilber Defendants deny the allegations set forth in paragraph 238 of plaintiffs' Complaint.

239. The Wilber Defendants deny the allegations set forth in paragraph 239 of plaintiffs' Complaint.

240. The Wilber Defendants deny the allegations set forth in paragraph 240 of plaintiffs' Complaint.

COUNT THREE

241. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 240 of plaintiffs' Complaint.

242. The Wilber Defendants deny the allegations set forth in paragraph 242 of plaintiffs' Complaint.

243. The Wilber Defendants deny the allegations set forth in paragraph 243 of plaintiffs' Complaint.

244. The Wilber Defendants deny the allegations set forth in paragraph 244 of plaintiffs' Complaint.

245. The Wilber Defendants deny the allegations set forth in paragraph 245 of plaintiffs' Complaint.

246. The Wilber Defendants deny the allegations set forth in paragraph 246 of plaintiffs' Complaint.

COUNT FOUR

247. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 246 of plaintiffs' Complaint.

248. The Wilber Defendants deny the allegations set forth in paragraph 248 of plaintiffs' Complaint.

249. The Wilber Defendants deny the allegations set forth in paragraph 249 of plaintiffs' Complaint.

250. The Wilber Defendants deny the allegations set forth in paragraph 250 of plaintiffs' Complaint.

251. The Wilber Defendants deny the allegations set forth in paragraph 251 of plaintiffs' Complaint.

252. The Wilber Defendants deny the allegations set forth in paragraph 252 of plaintiffs' Complaint.

253. The Wilber Defendants deny the allegations set forth in paragraph 253 of plaintiffs' Complaint.

254. The Wilber Defendants deny the allegations set forth in paragraph 254 of plaintiffs' Complaint.

255. The Wilber Defendants deny the allegations set forth in paragraph 255 of plaintiffs' Complaint.

COUNT FIVE

256. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 255 of plaintiffs' Complaint.

257. The Wilber Defendants deny the allegations set forth in paragraph 257 of plaintiffs' Complaint.

258. The Wilber Defendants deny the allegations set forth in paragraph 258 of plaintiffs' Complaint.

259. The Wilber Defendants deny the allegations set forth in paragraph 259 of plaintiffs' Complaint.

260. The Wilber Defendants deny the allegations set forth in paragraph 260 of plaintiffs' Complaint.

261. The Wilber Defendants deny the allegations set forth in paragraph 261 of plaintiffs' Complaint.

262. The Wilber Defendants deny the allegations set forth in paragraph 262 of plaintiffs' Complaint.

263. The Wilber Defendants deny the allegations set forth in paragraph 263 of plaintiffs' Complaint.

264. The Wilber Defendants deny the allegations set forth in paragraph 264 of plaintiffs' Complaint.

265. The Wilber Defendants deny the allegations set forth in paragraph 265 of plaintiffs' Complaint.

COUNT SIX

266. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 265 of plaintiffs' Complaint.

267. The Wilber Defendants deny the allegations set forth in paragraph 267 of plaintiffs' Complaint.

268. The Wilber Defendants deny the allegations set forth in paragraph 268 of plaintiffs' Complaint.

269. The Wilber Defendants deny the allegations set forth in paragraph 269 of plaintiffs' Complaint.

270. The Wilber Defendants deny the allegations set forth in paragraph 270 of plaintiffs' Complaint.

271. The Wilber Defendants deny the allegations set forth in paragraph 271 of plaintiffs' Complaint.

COUNT SEVEN

272. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 271 of plaintiffs' Complaint.

273. The Wilber Defendants deny the allegations set forth in paragraph 273 of plaintiffs' Complaint.

274. The Wilber Defendants deny the allegations set forth in paragraph 274 of plaintiffs' Complaint.

275. The Wilber Defendants deny the allegations set forth in paragraph 275 of plaintiffs' Complaint.

276. The Wilber Defendants deny the allegations set forth in paragraph 276 of plaintiffs' Complaint.

277. The Wilber Defendants deny the allegations set forth in paragraph 277 of plaintiffs' Complaint.

278. The Wilber Defendants deny the allegations set forth in paragraph 278 of plaintiffs' Complaint.

279. The Wilber Defendants deny the allegations set forth in paragraph 279 of plaintiffs' Complaint.

280. The Wilber Defendants deny the allegations set forth in paragraph 280 of plaintiffs' Complaint.

281. The Wilber Defendants deny the allegations set forth in paragraph 281 of plaintiffs' Complaint.

282. The Wilber Defendants deny the allegations set forth in paragraph 282 of plaintiffs' Complaint.

283. The Wilber Defendants deny the allegations set forth in paragraph 283 of plaintiffs' Complaint.

COUNT EIGHT

284. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 283 of plaintiffs' Complaint.

285. The Wilber Defendants deny the allegations set forth in paragraph 285 of plaintiffs' Complaint.

286. The Wilber Defendants deny the allegations set forth in paragraph 286 of plaintiffs' Complaint.

287. The Wilber Defendants deny the allegations set forth in paragraph 287 of plaintiffs' Complaint.

288. The Wilber Defendants deny the allegations set forth in paragraph 288 of plaintiffs' Complaint.

289. The Wilber Defendants deny the allegations set forth in paragraph 289 of plaintiffs' Complaint.

290. The Wilber Defendants deny the allegations set forth in paragraph 290 of plaintiffs' Complaint.

291. The Wilber Defendants deny the allegations set forth in paragraph 291 of plaintiffs' Complaint.

292. The Wilber Defendants deny the allegations set forth in paragraph 292 of plaintiffs' Complaint.

COUNT NINE

293. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 292 of plaintiffs' Complaint.

294. The Wilber Defendants deny the allegations set forth in paragraph 294 of plaintiffs' Complaint.

295. The Wilber Defendants deny the allegations set forth in paragraph 295 of plaintiffs' Complaint.

296. The Wilber Defendants deny the allegations set forth in paragraph 296 of plaintiffs' Complaint.

297. The Wilber Defendants deny the allegations set forth in paragraph 297 of plaintiffs' Complaint.

298. The Wilber Defendants deny the allegations set forth in paragraph 298 of plaintiffs' Complaint.

299. The Wilber Defendants deny the allegations set forth in paragraph 299 of plaintiffs' Complaint.

300. The Wilber Defendants deny the allegations set forth in paragraph 300 of plaintiffs' Complaint.

301. The Wilber Defendants deny the allegations set forth in paragraph 301 of plaintiffs' Complaint.

COUNT TEN

302. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 301 of plaintiffs' Complaint.

303. The Wilber Defendants deny the allegations set forth in paragraph 303 of plaintiffs' Complaint.

304. The Wilber Defendants deny the allegations set forth in paragraph 304 of plaintiffs' Complaint.

305. The Wilber Defendants deny the allegations set forth in paragraph 305 of plaintiffs' Complaint.

306. The Wilber Defendants deny the allegations set forth in paragraph 306 of plaintiffs' Complaint.

307. The Wilber Defendants deny the allegations set forth in paragraph 307 of plaintiffs' Complaint.

308. The Wilber Defendants deny the allegations set forth in paragraph 308 of plaintiffs' Complaint.

309. The Wilber Defendants deny the allegations set forth in paragraph 309 of plaintiffs' Complaint.

COUNT ELEVEN

310. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 309 of plaintiffs' Complaint.

311. The Wilber Defendants deny the allegations set forth in paragraph 311 of plaintiffs' Complaint.

312. The Wilber Defendants deny the allegations set forth in paragraph 312 of plaintiffs' Complaint.

313. The Wilber Defendants deny the allegations set forth in paragraph 313 of plaintiffs' Complaint.

314. The Wilber Defendants deny the allegations set forth in paragraph 314 of plaintiffs' Complaint.

COUNT TWELVE

315. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 314 of plaintiffs' Complaint.

316. The Wilber Defendants deny the allegations set forth in paragraph 316 of plaintiffs' Complaint.

317. The Wilber Defendants deny the allegations set forth in paragraph 317 of plaintiffs' Complaint.

318. The Wilber Defendants deny the allegations set forth in paragraph 318 of plaintiffs' Complaint.

319. The Wilber Defendants deny the allegations set forth in paragraph 319 of plaintiffs' Complaint.

320. The Wilber Defendants deny the allegations set forth in paragraph 320 of plaintiffs' Complaint.

321. The Wilber Defendants deny the allegations set forth in paragraph 321 of plaintiffs' Complaint.

322. The Wilber Defendants deny the allegations set forth in paragraph 322 of plaintiffs' Complaint.

COUNT THIRTEEN

323. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 322 of plaintiffs' Complaint.

324. The Wilber Defendants deny the allegations set forth in paragraph 324 of plaintiffs' Complaint.

325. The Wilber Defendants deny the allegations set forth in paragraph 325 of plaintiffs' Complaint.

326. The Wilber Defendants deny the allegations set forth in paragraph 326 of plaintiffs' Complaint.

327. The Wilber Defendants deny the allegations set forth in paragraph 327 of plaintiffs' Complaint.

328. The Wilber Defendants deny the allegations set forth in paragraph 328 of plaintiffs' Complaint.

COUNT FOURTEEN

329. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 328 of plaintiffs' Complaint.

330. The Wilber Defendants deny the allegations set forth in paragraph 330 of plaintiffs' Complaint.

331. The Wilber Defendants deny the allegations set forth in paragraph 331 of plaintiffs' Complaint.

332. The Wilber Defendants deny the allegations set forth in paragraph 332 of plaintiffs' Complaint.

333. The Wilber Defendants deny the allegations set forth in paragraph 333 of plaintiffs' Complaint.

334. The Wilber Defendants deny the allegations set forth in paragraph 334 of plaintiffs' Complaint.

335. The Wilber Defendants deny the allegations set forth in paragraph 335 of plaintiffs' Complaint.

336. The Wilber Defendants deny the allegations set forth in paragraph 336 of plaintiffs' Complaint.

337. The Wilber Defendants deny the allegations set forth in paragraph 337 of plaintiffs' Complaint.

338. The Wilber Defendants deny the allegations set forth in paragraph 338 of plaintiffs' Complaint.

COUNT FIFTEEN

339. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 338 of plaintiffs' Complaint.

340. The Wilber Defendants deny the allegations set forth in paragraph 340 of plaintiffs' Complaint.

341. The Wilber Defendants deny the allegations set forth in paragraph 341 of plaintiffs' Complaint.

342. The Wilber Defendants deny the allegations set forth in paragraph 342 of plaintiffs' Complaint.

343. The Wilber Defendants deny the allegations set forth in paragraph 343 of plaintiffs' Complaint.

344. The Wilber Defendants deny the allegations set forth in paragraph 344 of plaintiffs' Complaint.

345. The Wilber Defendants deny the allegations set forth in paragraph 345 of plaintiffs' Complaint.

346. The Wilber Defendants deny the allegations set forth in paragraph 346 of plaintiffs' Complaint.

347. The Wilber Defendants deny the allegations set forth in paragraph 347 of plaintiffs' Complaint.

348. The Wilber Defendants deny the allegations set forth in paragraph 348 of plaintiffs' Complaint.

349. The Wilber Defendants deny the allegations set forth in paragraph 349 of plaintiffs' Complaint.

350. The Wilber Defendants deny the allegations set forth in paragraph 350 of plaintiffs' Complaint.

COUNT SIXTEEN

351. The Wilber Defendants repeat, reallege and incorporate by reference herein the allegations set forth in paragraphs 1 through 350 of plaintiffs' Complaint.

352. The Wilber Defendants deny the allegations set forth in paragraph 352 of plaintiffs' Complaint.

353. The Wilber Defendants deny the allegations set forth in paragraph 353 of plaintiffs' Complaint.

354. The Wilber Defendants deny the allegations set forth in paragraph 354 of plaintiffs' Complaint.

355. The Wilber Defendants deny the allegations set forth in paragraph 355 of plaintiffs' Complaint.

356. The Wilber Defendants deny the allegations set forth in paragraph 356 of plaintiffs' Complaint.

357. The Wilber Defendants deny the allegations set forth in paragraph 357 of plaintiffs' Complaint.

358. The Wilber Defendants deny the allegations set forth in paragraph 358 of plaintiffs' Complaint.

359. The Wilber Defendants deny the allegations set forth in paragraph 359 of plaintiffs' Complaint.

AFFIRMATIVE DEFENSES

First Affirmative Defense

Plaintiffs' Complaint should be dismissed because it fails to state a claim upon which relief can be granted.

Second Affirmative Defense

Plaintiffs' claims are barred by the doctrines of waiver, estoppel and unclean hands.

Third Affirmative Defense

Plaintiffs' damages, if any, are subject to offset or other reduction based upon plaintiffs' own conduct.

Fourth Affirmative Defense

Plaintiffs' claims are barred by the doctrines of accord and satisfaction.

Fifth Affirmative Defense

Plaintiffs' claims are barred, in whole or in part, by the contributory negligence of plaintiffs.

Sixth Affirmative Defense

Plaintiffs' claims are barred by the doctrine of laches.

Seventh Affirmative Defenses

Plaintiffs' damages, if any, are the result of persons not under the control or supervision of defendants.

Eighth Affirmative Defense

Plaintiffs' damages, if any, are the result of acts or omissions by plaintiffs.

Ninth Affirmative Defense

Plaintiffs' claims are barred by the election of remedies doctrine.

Tenth Affirmative Defense

All acts or omissions of the Wilber Defendants were undertaken in good faith, without malice or recklessness, and were fully justified and reasonable under the circumstances.

Eleventh Affirmative Defense

Plaintiffs' claims are barred to the extent they are based upon unenforceable or invalid agreements.

Twelfth Affirmative Defense

Plaintiffs' Complaint has been brought in bad faith. Pursuant to U.C.A. § 78B-5-825, the Wilber Defendants are entitled to recover their attorney's fees incurred in the defense of this action.

Thirteenth Affirmative Defense

Plaintiffs' claims are barred, in whole or in part, by the applicable statutes of limitations including U.C.A. §§ 78B-2-305 and 307.

Fourteenth Affirmative Defense

To the extent the claims in the Complaint may be governed by the Utah Liability Reform Act, each defendant's liability, if any, is limited to the percentage or proportion of the damages equivalent to the percentage or proportion of fault attributable to each of them, particularly. Pursuant to U.C.A. § 78B-5-817 to 821, if such fault exceeds that of plaintiffs, and the fault of all other persons or parties should be apportioned including, but not limited to, the fault of each plaintiff and/or others, and if plaintiffs' fault exceeds 50% or greater then plaintiffs should take nothing.

Fifteenth Affirmative Defense

Plaintiffs' claims are barred, in whole or in part, because plaintiffs are not permitted to profit from their own inequity.

Sixteenth Affirmative Defense

Plaintiffs' claims are barred because plaintiffs lack standing to press their claims in this case.

Seventeenth Affirmative Defense

The Wilber Defendants make their answers to the Complaint based upon information reasonably known to them at this time. The Wilber Defendants reserve the right to amend any or all of their responses herein including, but not limited to, any admissions or denials, the addition or elimination of affirmative defenses as they may become known to defendants.

Eighteenth Affirmative Defense

The Complaint is barred, in whole or in part, by modification.

Nineteenth Affirmative Defense

The Complaint is barred, in whole or in part, by consent, justification or ratification.

Twentieth Affirmative Defense

The Complaint is barred, in whole or in part, by the economic loss rule.

Twenty-First Affirmative Defense

The Complaint is barred, in whole or in part, by virtue of the maxim that one who seeks equity must first do equity.

Twenty-Second Affirmative Defense

The Complaint is barred, in whole or in part, by one or more material breaches of contract, implied covenant of good faith and fair dealing and/or fiduciary duty.

Twenty-Third Affirmative Defense

The Complaint is barred, in whole or in part, by the allegations asserted in support of the Complaint.

Twenty-Fourth Affirmative Defense

The Complaint is barred, in whole or in part, by release.

