**13-302C. Statement of denial and affirmative defense(s).**

The defendant(s) deny(ies) what the plaintiff(s) ] say(s) about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (theory of recovery(ies) by name)] [and defendant(s) say(s) that: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Violation of the ordinance was excused or justified, [and]

The plaintiff(s) [was] [were] negligent, [and]

Another party was negligent, [and]

A non-party was negligent, [and]

Etc.).

USE NOTE

Here, the affirmative defenses applicable to a given theory are established by name. *See* the Use Note under UJI 13-302A NMRA.

[As amended, effective January 1, 1987; March 1, 2005.]