

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

Director of the Manufactured Housing  
and Modular Units Program of the Public  
Service Commission,

Complainant,

vs.

Burkhart Mobile Homes, Inc.,

Respondent.

Case No: MC-2011-0319

**RESPONDENT'S ANSWER TO DIRECTOR'S FIRST AMENDED COMPLAINT**

COMES NOW Respondent Burkhart Mobile Homes, Inc. and for its Answer to  
Director's First Amended Complaint hereby states:

**Introduction**

1. Respondent admits the allegations of paragraph 1.

**Complainant**

2. Respondent admits the allegations of paragraph 2.

**Respondent**

3. Respondent admits the allegations of paragraph 3.

**Jurisdiction**

4. Respondent admits the allegations of paragraph 4.
5. Respondent admits the allegations of paragraph 5.

**Count I**

6. Respondent admits the allegations of paragraph 6.
7. Respondent is without sufficient information with which to admit or deny the  
allegations of paragraph 7 and therefore demands strict proof thereof.

8. Respondent admits the allegations of paragraph 8.

***A. Sale to Williams and Wanda Smith:***

9. Respondent admits the allegations of paragraph 9.

10. Respondent admits the allegations of paragraph 10.

11. The allegations of paragraph 11 call for a legal conclusion and therefore

Respondent can neither admit nor deny said allegations.

***B. Sale to Milton Kutzil:***

12. Respondent admits the allegations of paragraph 12.

13. Respondent admits the allegations of paragraph 13.

14. The allegations of paragraph 14 call for a legal conclusion and therefore

Respondent can neither admit nor deny said allegations.

***C. Sale to John R. Wilder:***

15. Respondent admits the allegations of paragraph 15.

16. Respondent admits the allegations of paragraph 17.

17. The allegations of paragraph 17 call for a legal conclusion and therefore

Respondent can neither admit nor deny said allegations.

***D. Sale to Ron and Jacqueline Goddard:***

18. Respondent admits the allegations of paragraph 18.

19. Respondent admits the allegations of paragraph 19.

20. The allegations of paragraph 20 call for a legal conclusion and therefore

Respondent can neither admit nor deny said allegations.

***E. Sale to Delbert Scott:***

21. Respondent admits the allegations of paragraph 21.

22. Respondent admits the allegations of paragraph 22.

23. The allegations of paragraph 23 call for a legal conclusion and therefore Respondent can neither admit nor deny said allegations.

WHEREFORE, having fully answered Count I of the Director of the Manufactured Housing and Modular Units Program of the Public Service Commission's First Amended Complaint, Respondent Burkhart Mobile Homes, Inc. requests the Count I of the First Amended Complaint be dismissed with prejudice.

### **Count II**

24. Respondent hereby restates and incorporates by reference its Answer to paragraphs 1 through 23 as its Answer to paragraph 24 as if fully set forth herein.

25. Respondent is without sufficient information with which to admit or deny the allegations of paragraph 25 and therefore demands strict proof thereof.

26. Respondent is without sufficient information with which to admit or deny the allegations of paragraph 26 and therefore demands strict proof thereof.

27. Respondent admits the allegations of paragraph 27.

#### ***A. Sale to William and Wanda Smith:***

28. Respondent admits the allegations of paragraph 28.

29. The allegations of paragraph 29 call for a legal conclusion and therefore Respondent can neither admit nor deny said allegations.

30. The allegations of paragraph 30 call for a legal conclusion and therefore Respondent can neither admit nor deny said allegations.

#### ***B. Sale to Milton Kutzil:***

31. Respondent admits the allegations of paragraph 31.

32. The allegations of paragraph 32 call for a legal conclusion and therefore Respondent can neither admit nor deny said allegations.

33. The allegations of paragraph 33 call for a legal conclusion and therefore Respondent can neither admit nor deny said allegations.

***C. Sale to John R. Wilder:***

34. Respondent admits the allegations of paragraph 34, incorrectly numbered in Director's First Amended Complaint as paragraph 31.

35. The allegations of paragraph 35, incorrectly numbered in Director's First Amended Complaint as paragraph 32, call for a legal conclusion and therefore Respondent can neither admit nor deny said allegations.

36. The allegations of paragraph 36, incorrectly numbered in Director's First Amended Complaint as paragraph 33, call for a legal conclusion and therefore Respondent can neither admit nor deny said allegations.

WHEREFORE, having fully answered Count II of the Director of the Manufactured Housing and Modular Units Program of the Public Service Commission's First Amended Complaint, Respondent Burkhart Mobile Homes, Inc. requests that Count II of the First Amended Complaint be dismissed with prejudice.

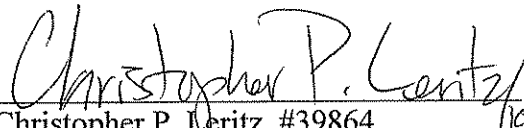
**Count III**

37. Respondent hereby restates and incorporates by reference its Answer to paragraphs 1 through 36 as its Answer to paragraph 37, incorrectly numbered in Director's First Amended Complaint as paragraph 34, as if fully set forth herein.

38. Respondent is without sufficient information with which to admit or deny the allegations of paragraph 38, incorrectly numbered in Director's First Amended Complaint as paragraph 35, and therefore demands strict proof thereof.

WHEREFORE, having fully answered Count III of the Director of the Manufactured Housing and Modular Units Program of the Public Service Commission's First Amended Complaint, Respondent Burkhart Mobile Homes, Inc. requests that Count III of the First Amended Complaint be dismissed with prejudice.

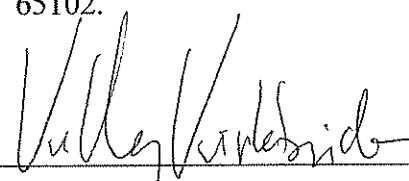
Respectfully submitted,

  
Christopher P. Leritz, #39864  
Kelly T. Kirkbride, #51911  
Leritz, Plunkert & Bruning, PC  
555 Washington, Suite 600  
St. Louis, Missouri 63101  
(314) 231-9600  
(314) 231-9480 (fax)  
[cleritz@leritzlaw.com](mailto:cleritz@leritzlaw.com)

ATTORNEYS FOR RESPONDENT  
BURKHART MOBILE HOMES, INC.

#### **CERTIFICATE OF SERVICE**

A copy of the foregoing was filed electronically through EFIS and mailed this 20<sup>th</sup> day of October, 2011 to: Kevin A. Thompson and Meghan E. McClowry, Attorneys for the Director of the Manufactured Housing and Modular Units Program of the Missouri Public Service Commission, P.O. Box 360, Jefferson City, MO 65102.

  
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