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Honorable Judge Anne Aiken

Attorneys for Correct Care Solutions, LLC and Steven
Blum, M.D.

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

TERRI CARLISLE,

Plaintiff,

v.

**DOUGLAS COUNTY, Oregon; CORRECT
CARE SOLUTIONS, LCC; JOHN HANLIN;
MIKE ROOT; STEVEN BLUM, M.D.;
NURSE DOE; MEDICAL ASSISTANT
DOE; CORRECTIONAL OFFICER
DOE(S),**

Defendants.

Case No. 6:17-cv-00837-AA

ANSWER AND AFFIRMATIVE
DEFENSES OF DEFENDANTS
CORRECT CARE SOLUTIONS, LLC
AND STEVEN BLUM, M.D.

DEMAND FOR JURY TRIAL

Defendants Correct Care Solutions, LLC and Steven Blum, M.D. ("answering
defendants") answer plaintiff's complaint as follows:

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4819-9015-4316.1

ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANTS CORRECT CARE
SOLUTIONS, LLC AND STEVEN BLUM, MD - 1

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ANSWER TO COMPLAINT

1.

Answering defendants deny every allegation in the complaint, except as expressly admitted or alleged below.

2.

As to paragraph 1, answering defendants admit only that plaintiff's complaint alleges claims under 42 U.S.C. § 1983 and for state law tort claims.

3.

As to paragraph 2, answering defendants admit only that plaintiff was incarcerated at Douglas County Jail from February 9, 2015 to August 4, 2015.

4.

As to paragraphs 3 and 4, answering defendants admit only that plaintiff was placed in disciplinary housing from May 31, 2015 to June 5, 2015.

5.

As to paragraph 6, answering defendants admit this court has jurisdiction.

6.

As to paragraphs 7 and 8, answering defendants admit that venue is proper.

7.

As to paragraph 9, answering defendants admit only that, from February 9, 2015 to August 4, 2015, plaintiff was an inmate confined at Douglas County Jail.

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8.

As to paragraph 10, answering defendants admit only that Douglas County is an Oregon county, and operates a jail in Roseburg, Oregon.

9.

As to paragraph 11, answering defendants admit only that Correct Care Solutions, LLC is authorized to do business in Oregon and provides medical services to inmates in correctional facilities. Answering defendants further admit that Correct Care Solutions provided medical services at Douglas County Jail during plaintiff's incarceration.

10.

As to paragraphs 12 and 13, answering defendants lack information sufficient to admit or deny the allegations.

11.

As to paragraph 14, answering defendants admit only that, at the relevant time, Steven Blum, M.D. was a licensed physician working for Correct Care Solutions.

12.

Paragraphs 15 through 17 fail to identify the alleged employees of Correct Care Solutions and Douglas County, and therefore, are denied.

13.

As to paragraph 18, answering defendants admit only that as the operator of Douglas County Jail, Douglas County is responsible for providing medical care to inmates as required by law.

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14.

Answering defendants admit paragraph 19.

15.

As to paragraphs 20 through 27, plaintiff's medical and jail records speak for themselves.

16.

Answering defendants admit paragraph 28.

17.

As to paragraphs 29 through 31, answering defendants admit only that plaintiff was placed in disciplinary housing from May 31, 2015 to June 5, 2015.

18.

As to paragraphs 32 through 42, plaintiff's written communications and medical records speak for themselves.

19.

As to paragraph 43, answering defendants incorporate their responses to the preceding paragraphs as if fully set forth here.

20.

As to paragraph 50, answering defendants incorporate their responses to the preceding paragraphs as if fully set forth here.

21.

Paragraphs 51 through 55 are directed to other defendants, so no additional response is required.

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22.

As to paragraphs 56, 63, 70, 77, and 84 answering defendants incorporate their responses to the preceding paragraphs as if fully set forth here.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

23.

Answering defendants are not state actors.

SECOND AFFIRMATIVE DEFENSE

24.

If answering defendants are state actors, then they are entitled to immunity and/or qualified immunity.

THIRD AFFIRMATIVE DEFENSE

25.

Plaintiff's injuries and damages, if any, were caused by her own negligence.

DEMAND FOR JURY TRIAL

26.

Answering defendants request a jury trial.

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PRAYER FOR RELIEF

27.

WHEREFORE, answering defendants request entry of judgment in their favor, to include their costs and disbursements.

DATED this 1st day of September, 2017.



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*Attorneys for Correct Care Solutions, LLC and
Steven Blum, M.D.*

CERTIFICATE OF SERVICE

I certify that I served the foregoing ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANTS CORRECT CARE SOLUTIONS, LLC AND STEVEN BLUM, M.D. on the following attorneys by the method indicated below on the 1st day of September, 2017:

Attorneys for Plaintiff:

Mathew dos Santos	<input checked="" type="checkbox"/>	Via First Class Mail
Kelly Simon	<input type="checkbox"/>	Via Federal Express
ACLU of Oregon	<input type="checkbox"/>	Via Facsimile
PO Box 40585	<input type="checkbox"/>	Via Hand-Delivery
Portland, OR 97240	<input checked="" type="checkbox"/>	Via CM/ECF Notice
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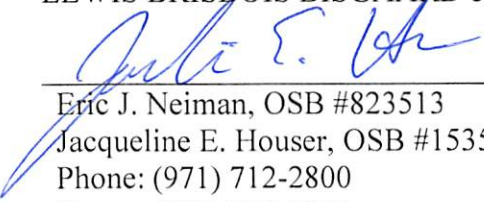
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