

CAUSE NO. 202330841

**JPN HOLDINGS, LLC
AS TRUSTEE OF THE 3AS TRUST,
PLAINTIFF**

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IN THE DISTRICT COURT

VS.

80th JUDICIAL DISTRICT

**UNITED WHOLESALE
MORTGAGE, LLC AND
ANTHONEY BRETT GENNUSA,
DEFENDANTS**

HARRIS COUNTY, TEXAS

DEFENDANT, UNITED WHOLESALE MORTGAGE LLC'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES United Shore Financial Services, LLC d/b/a United Wholesale Mortgage, Defendant, files this answer in the above-styled and numbered cause to Plaintiff's Original Petition would respectfully show as follows:

I. GENERAL DENIAL

1. As allowed by the Texas Rules of Civil Procedure, Defendant, United Shore Financial Services, LLC d/b/a United Wholesale Mortgage ("Defendant") generally denies all the allegations constituting a claim that were included in Plaintiff's Original Petition and demands strict proof thereof.

II. AFFIRMATIVE DEFENSES

2. Defendant asserts that all conditions precedent to Plaintiff's rights to recover, if any, have not been satisfied, have not occurred or have not been waived.

3. In addition to and/or alternatively without waiving the foregoing, Plaintiff's damages, if any, which Defendant does not admit, were caused in whole or in part by Plaintiff's own acts, negligent or otherwise, and Defendant is thus not liable.

4. In addition to and/or alternatively without waiving the foregoing, Plaintiff's attorney's fees are not recoverable, reasonable or necessary.

5. In addition to and/or alternatively without waiving the foregoing, Defendant asserts that Plaintiff failed to mitigate its alleged damages, if any, which damages are strictly denied by Defendant.

6. In addition to and/or alternatively without waiving the foregoing, Plaintiff's claims are barred due to Defendant's compliance with the terms of the Deed of Trust and the Texas Property Code.

7. In addition to and/or alternatively without waiving the foregoing, Plaintiff's claims are barred by a lack of standing to bring this action. Plaintiff is not a party to the transaction in question with Defendant.

III. RESERVATION OF RIGHTS

8. Defendant, its successors and assigns, reserves the right to amend this Answer as may be authorized by the Court, and as may be permitted by the Texas Rules of Civil Procedure.

IV. PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendant, United Shore Financial Services, LLC d/b/a United Wholesale Mortgage, its successors and assigns, prays that Plaintiff take nothing by its suit and that Defendant be allowed to recover all costs and for such other and further relief, special and general, at law or in equity to which Defendant, might be justly entitled.

Respectfully submitted,

CODILIS & MOODY, P.C.

/s/ Kelly M. Doherty

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Defendant's Original Answer was served upon the parties listed below in accordance with the Texas Rules of Civil Procedure on the 20TH day of June 2023.

VIA E-SERVICE

Justin P. Nichols
309 W. Dewey Place, Ste B201-540
San Antonio, Texas 78212
efile@TheNicholsLawFirm.com
ATTORNEY FOR PLAINTIFF

/s/ Kelly M. Doherty
Kelly M. Doherty

Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Sherrie Hanner on behalf of Kelly Doherty

Bar No. 24118059

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Envelope ID: 76763063

Filing Code Description: Answer/ Response / Waiver

Filing Description: UNITED SHORE FINANCIAL SERVICE LLC D/B/A

UNITED WHOLESALE MORTGAGE'S ORIGINAL ANSWER

Status as of 6/20/2023 10:19 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Justin Nichols		Justin@TheNicholsLawFirm.com	6/20/2023 9:30:03 AM	SENT
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