

17. Sherwin-Williams incorporates by reference herein its answers to Paragraphs 1 through 16 of Plaintiffs' Complaint.

18. Defendant neither designed nor manufactured the ladder which husband-plaintiff alleges he was using when an accident occurred. Defendant purchased finished ladders from the manufacturer of said ladder, the Werner Co., and sold them to retail consumers without change, addition or modification, as is the case with the subject ladder.

19. Plaintiffs have failed to state a cause of action upon which relief can be granted.

20. The applicable statutes of limitations may act to bar the presentation of plaintiffs' causes of action.

21. Plaintiffs' claims are barred or reduced by Plaintiffs' contributory negligence and/or comparative fault.

22. The accident, injury and/or damage of which Plaintiffs complain was caused or contributed to by the act, omission and/or other culpable conduct of a party, person and/or entity over which Sherwin-Williams had no right of or duty to control and for which Sherwin-Williams cannot be held liable.

23. The accident, injury and/or damage of which Plaintiffs complain was caused or contributed to by the intervening, superseding act, omission and/or other culpable conduct of a party, person and/or entity over which Sherwin-Williams had no right of or duty to control and for which Sherwin-Williams cannot be held liable.

24. The accident, injury and/or damage of which Plaintiffs complain was caused or contributed to by the abuse, misuse and/or improper use of the subject ladder and, thus, Plaintiffs' claims herein are barred by the same.