refute properly pleaded facts in a complaint. *Pryweller v. Cohen,* 282 Ill. App. 3d 899, 907 (1st Dist. 1996).

10. Illinois is a fact-pleading jurisdiction. By law, Illinois requires that the contending party set forth a plain and concise statement of facts sufficient to support its causes of actions and prohibits either conclusions of law or conclusions of fact. *Lagen v. Balcor Co.*, 274 Ill. App. 3d 11,16 (Ill. App. 1995); *Talbert v. Home Savings of America,* 265 Ill. App. 3d 376, 379 (Ill. App. 1994); 735 ILCS 5/2-603 (West 2006).

11. Illinois statutory and common law requires not only that a plaintiff articulate a plain and concise statement of facts to support its affirmative defenses, but also, that such facts be (i) delineated in the pleading, and either (ii) be supported by affidavit, or (iii) be attached to the pleading. *See, Bajwa v. Metropolitan Life Ins. Co.*, 208 Ill.2d 414, 431 (Ill. 2004); 735 ILCS 5/2-606 (West 2006).

12. Section 2-613(d) of the Illinois Code of Civil Procedure provides that "[t]he facts constituting any affirmative defense…must be plainly set forth in the answer or reply." 735 ILCS 5/2-613 (West 2006).

13. When ruling on a section 2-615 motion, the court may only consider the pleading and documents incorporated into the pleading. *Barber-Colman Co. v. A&K Midwest Insulation Co.*, 236 Ill. App. 3d 1065, 1068 (1992). *See also*, 3 R. Michael, Illinois Practice § 27.4, at 504-05 (1989).

ARGUMENT

14. In the case at hand, Plaintiff has pleaded nineteen (19) affirmative defenses and each one has failed to meet the requisite Illinois pleading standard for various reasons. As evidenced infra, each is not only devoid of factual support, but also