

18. Affirmative Defense IV states in part, "Buick filed a brief answer which was legally and factually insufficient. There is nowhere to be found with a counterclaim in the Answer." Aside from being a conclusion of fact and law, the affirmative defense is wholly incomprehensible, and almost exactly the same as Plaintiff's previous "Affirmative Defense IV" which was stricken on or about May 4, 2006.

19. Affirmative Defense V is wholly unsupported by facts. The facts constituting an affirmative defense must be plainly set forth in the answer or reply. 735 ILCS 5/2-613. Here, it is unclear what affirmative defense is even being asserted, let alone what facts support it. Furthermore, this count is substantially similar to Plaintiff's previous "Affirmative Defense V" which was stricken on or about May 4, 2006.

20. Affirmative Defense VI comes to a conclusion of fact stating, "Buick and its counsel were trying to extract an unwarranted settlement by filing the instant counterclaim." This statement is wholly unsupported by any evidence. Plaintiff refers to a letter, but it is not attached to the pleading. Facts must either be supported by affidavit or be attached to the pleading. *Bajwa*, 208 Ill. 2d at 431. The facts alleged here are supported by neither. Furthermore, it is substantially the same as Plaintiff's previous "Affirmative Defense VI" that was stricken on or about May 4, 2006.

21. Affirmative Defense VII is rife with conclusions of law and fact. Plaintiff states, "In more than one year of Court proceedings, defendant and its counsel knowingly and willfully, misinterpreted the law in an outrageous way..." Plaintiff also states, "defendant and its counsel violate Supreme Court Rules, local rules of the Circuit Court, and Illinois Codes of Civil Procedure..." There is no evidence presented to support these statements. Furthermore, Plaintiff's claim does not constitute a valid affirmative defense.