

IN THE SUPERIOR COURT OF GWINNETT COUNTY  
STATE OF GEORGIA

CLERK OF SUPERIOR COURT  
GWINNETT COUNTY, GEORGIA  
11 JUN 2011 11:02  
TOM LAWLER, CLERK  
**ORIGINAL**

FIRST AMERICAN TITLE INSURANCE )  
COMPANY, AND BAC HOME LOANS )  
SERVICING, LPFKA COUNTRYWIDE )  
HOME LOANS SERVICING, LP AS )  
SERVICING AGENT FOR THE BANK OF NEW )  
YORK, AS TRUSTEE FOR THE )  
CERTIFICATE, AS TRUSTEE FOR THE )  
CERTIFICATE HOLDERS, CWABS, INC., )  
ASSET-BACKED CERTIFICATES, )  
SERIES 2007-10. )

CIVIL ACTION

NO: 11-A-05738-9

Plaintiffs,

v.

MATTHEW C. HINES, INDIVIDUALLY, )  
AND THE HINES LAW FIRM, P.C. )

Defendants: )

**ANSWER OF DEFENDANTS MATTHEW C. HINES AND THE HINES LAW FIRM,  
P.C.**

NOW COMES Matthew C. Hines and The Hines Law Firm, P.C., and files their Answer to Plaintiff's Complaint by showing the following:

AFFIRMATIVE DEFENSE 1.

Plaintiffs' Complaint fails to state a claim upon which relief may be granted.

AFFIRMATIVE DEFENSE 2.

Plaintiffs have failed to mitigate damages.

AFFIRMATIVE DEFENSE 3.

One or more Plaintiffs are not the real party in interest.

AFFIRMATIVE DEFENSE 4.

Plaintiffs' Complaint is barred by the Statute of Limitations.

AFFIRMATIVE DEFENSE 5.

Defendants owed no duty to one or more of the Plaintiffs.

Defendants now answer the numbered Paragraphs of Plaintiffs' Complaint.

1.

Defendants are unable to admit the averments set forth in Paragraph 1.

2.

Defendants are unable to admit the averments set forth in Paragraph 2.

3.

Defendants admit this first sentence of Paragraph 3, but deny the remaining allegations.

4.

Defendants admit the first sentence of Paragraph 4 and that Matthew C. Hines is the registered agent for The Hines Law Firm, P.C. The remaining averments in Paragraph 4 are denied.

5.

Defendants re-allege and incorporate all responses mentioned above as if restated verbatim herein.

6.

Admitted.

7.

Admitted.

8.

Defendants are unable to admit or deny the averments stated in Paragraph 8.

9.

Denied.

10.

Defendants are unable to admit or deny Paragraph 10.

11.

Defendants are unable to admit or deny the averments in Paragraph 11; however deny that Plaintiffs have suffered damages.

12.

Defendants re-allege and incorporate all responses mentioned above as if restated verbatim herein.

13.

Admitted.

14.

Denied.

15.

Defendant is unable to admit or deny the averments in Paragraph 15.

16.

Denied.

17.

Admitted.

18.

Denied.

19.

Defendants are unable to admit or deny the averments in Paragraph 19.

20.

Denied.

21.

Denied.

22.

Defendants re-allege and incorporate all responses mentioned above as if restated verbatim herein.

23.

Admitted.

24.

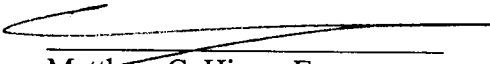
Denied.

25.

Denied.

Any averments not specifically denied are hereby denied.

WHEREFORE, Defendants request that Plaintiffs' Complaint be dismissed with prejudice and that all costs of the action be borne by Plaintiffs.

  
Matthew C. Hines, Esq.  
Georgia Bar No.: 356082  
Attorney for Defendants

5000 Austell-Powder Springs Road, St. 189  
Austell, Georgia 30106  
(770) 941-0913

UAS 738-9

LAW OFFICES  
OF  
MATTHEW C. HINES, LLC

5000 AUSTELL-POWDER SPRINGS ROAD, SUITE 189  
AUSTELL, GEORGIA 30106

MATTHEW C. HINES, ESQ.  
matthines@hineslaw.org

www.hineslaw.org

11 AUG -1 PM 1:00

TOM [unclear] [unclear]  
(770) 941-0915

FAX (770) 941-0919

To: All Assigned Judges, Clerks of Court and Opposing Counsel of Record

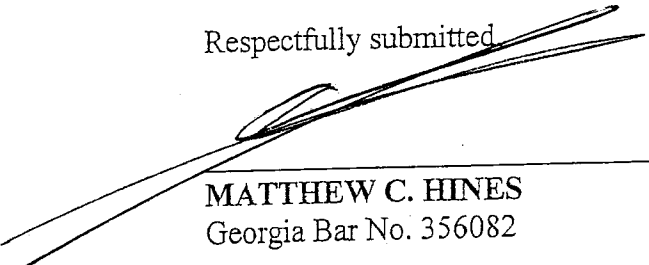
Re: Notice of Leave of Absence

**COMES NOW MATTHEW C. HINES**, Applicant herein, and pursuant to Georgia Uniform Court Rule 16.1, respectfully directs this notice to all Judges before whom he has cases pending, all applicable clerks of court and all opposing counsel of record.

1. Notice is hereby given that **MATTHEW C. HINES** requests a leave of absence for the period from August 17, 2011, through and including August 26, 2011, October 5, 2011, through and including October 7, 2011, October 19, 2011, through and including October 21, 2011, November 18, 2011, through and including November 25, 2011, and December 21, 2011, through and including January 2, 2012, during which period Applicant will be outside the State of Georgia.
2. The purpose of the requested leave is for a religious retreat, paternity leave and family vacations.
3. If you have any objections to this Notice, please contact me at your earliest opportunity. If no objections are filed within ten (10) days following the date of this Notice, the leave of absence shall be granted.
4. Actions to be protected are set out in the Certificate of Service attached.

Thank you for your consideration in this matter.

Respectfully submitted

  
MATTHEW C. HINES  
Georgia Bar No. 356082

Kennesaw Location  
125 Town Lake Park  
Suite 300  
Kennesaw, Georgia 30339

Lavonia  
165 West Main Street  
Lavonia, Georgia 30553

Atlanta/Marietta/Smyrna Location  
3330 Cumberland Boulevard  
Suite 500  
Atlanta, Georgia 30339

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this date served a copy of the within and foregoing Notice of Leave of Absence upon Judges, Clerks and opposing Counsel of Record in the pending cases listed below by depositing a true and exact copy of the same in the United States Mail, proper postage prepaid.

**RE: First American Title Insurance Company, et al. v. Matthew C. Hines, et al., Superior Court of Gwinnett County, Civil Action File No.: 11-A-05738-9**

Assigned Judge: The Honorable Tom Davis

Opposing Counsel: Peter Lublin, Esq.  
Rubin Lublin Suarez Serrano, LLC  
3740 DaVinci Court, Suite 400  
Norcross, Georgia 30092

**RE: Lauren Jones Turner v. Harold Cornelius Turner, Jr., Superior Court of Gwinnett County, Civil Action File No.: 11A-06531-3**

Assigned Judge: The Honorable K. Dawson Jackson

Opposing Counsel: Richard M. Loftis, Esq.  
Richard M. Loftis, P.C.  
6340 Sugarloaf Parkway, Suite 200  
Duluth, Georgia 30097

Respectfully submitted this 29<sup>th</sup> day of July, 2011.

LAW OFFICES OF MATTHEW C. HINES, LLC

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**MATTHEW C. HINES**  
Georgia Bar No. 356082