

DOCKET NO.: UWY-CV-15-6025912-S : SUPERIOR COURT  
JAMES GRECHKA : J.D. OF WATERBURY  
V. : AT WATERBURY  
WHOLE FOODS MARKET GROUP, INC. : APRIL 15, 2015

**WHOLE FOODS MARKET GROUP, INC.'S**  
**ANSWER & SPECIAL DEFENSE**

**FIRST COUNT: (As to Whole Foods Market Group, Inc.)**

1. To the extent paragraph 1 alleges that the defendant, Whole Foods Market Group, Inc. ("Whole Foods") is authorized to do business in the State of Connecticut, it is admitted. With respect to the remaining allegations contained in paragraph 1, the defendant lacks sufficient information upon which to form a belief, and therefore, leaves the plaintiff to his proof.

2. To the extent paragraph 2 alleges that the defendant, Whole Foods owned and operated the Whole Foods Market Distribution Center located at 400 East Johnson Avenue, Cheshire, CT, it is admitted. With respect to the remaining allegations contained in paragraph 2, the defendant lacks sufficient information upon which to form a belief, and therefore, leaves the plaintiff to his proof.

3. The defendant, Whole Foods denies that it was in any way negligent or otherwise responsible for the damages and injuries allegedly sustained by the plaintiff. With respect to the remaining allegations contained in Paragraph 3, the defendant lacks

sufficient information upon which to form a belief, and therefore, leaves the plaintiff to his proof.

4. Paragraph 4 and all of its sub-parts (a) through (f) are denied.

5. The defendant, Whole Foods denies that it was in any way negligent or otherwise responsible for the damages and injuries allegedly sustained by the plaintiff. With respect to the remaining allegations contained in Paragraph 5, the defendant lacks sufficient information upon which to form a belief, and therefore, leaves the plaintiff to his proof.

6. The defendant, Whole Foods denies that it was in any way negligent or otherwise responsible for the damages and injuries allegedly sustained by the plaintiff. With respect to the remaining allegations contained in Paragraph 6, the defendant lacks sufficient information upon which to form a belief, and therefore, leaves the plaintiff to his proof.

7. The defendant, Whole Foods denies that it was in any way negligent or otherwise responsible for the damages and injuries allegedly sustained by the plaintiff. With respect to the remaining allegations contained in Paragraph 7, the defendant lacks sufficient information upon which to form a belief, and therefore, leaves the plaintiff to his proof.

8. The defendant, Whole Foods denies that it was in any way negligent or otherwise responsible for the damages and injuries allegedly sustained by the plaintiff. With respect to the remaining allegations contained in Paragraph 8, the defendant lacks

sufficient information upon which to form a belief, and therefore, leaves the plaintiff to his proof.

9. The defendant, Whole Foods denies that it was in any way negligent or otherwise responsible for the damages and injuries allegedly sustained by the plaintiff. With respect to the remaining allegations contained in Paragraph 9, the defendant lacks sufficient information upon which to form a belief, and therefore, leaves the plaintiff to his proof.

**SECOND COUNT: (As to Jim Doyle)**

The Second Count has been withdrawn by the Plaintiff on January 8, 2015.

**SPECIAL DEFENSE**

If the plaintiff, James Grechka suffered injuries and damages as alleged in the Complaint, which is denied, the injuries and damages were proximately caused in whole or in part by the negligence of the plaintiff, James Grechka in that:

- a. He was inattentive and failed to keep a proper lookout, to be watchful of his surroundings and where he was walking;
- b. He failed to make a reasonable and proper use of his senses and faculties to avoid injury to himself at the time and place described;
- c. He failed to properly safeguard himself in relation to any conditions then and there existing;
- d. He failed to observe the conditions then and there existing;
- e. He failed to make an adequate and proper inspection of the area where he was stepping; and

