**Sample Motion for Leave to File Amended Answer**

**IN THE ASSOCIATE CIRCUIT COURT
OF THE COUNTY OF XXXXX
STATE OF XXXX**

DEBT COLLECTOR COMPANY, LLC,                        )
ASSIGNEE OF CC COMPANY (Mastercard),          )
Plaintiff,                                                                      )
vs.                                                                                )  Cause NO. 10AC‐xx
                                                                                     )   Div. x
                                                                                     )
JOHN Q. PUBLIC,                                                       )
                    Defendant.                                             )

**MOTION FOR LEAVE TO FILE AMENDED ANSWER**

Comes Now Defendant, John Q. Public, and for his Motion to File Amended Answer in the above-styled matter states as follows.

1. Defendant received the Summons and Petition in this matter on January 1, 2011 and timely filed his Answer on January 27, 2011.
2. Since the time Defendant filed his Answer, new facts have come to light, and Defendant now wishes to file an Amended Answer and Counterclaim alleging illegal actions under the Fair Debt Collection Practices Act and the state law of XXX.
3. Justice and economy require that this Motion be granted, as defendant's rights are connected to the claim brought against him, and Plaintiff will not be prejudiced by permitting Defendant to bring these counterclaims.
4. Defendant brings this motion and the Proposed Amended Counterclaim, filed concurrently with this document, not for any improper purpose but in the interests of justice.

Wherefore, defendant requests leave to file his Amended Answer and Counterclaim.

Respectfully,

John Q. Public
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Atlanta, GA 303030
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