

Plaintiff's name _____ v Defendant's name _____

AFFIRMATIVE DEFENSES

☐ Defendant, ☐ Attorney for defendant, states the following affirmative defenses:

CHECK ALL THAT APPLY (for each box checked, attach a statement of facts)

- ☐ 1. I paid this debt in full (satisfied). Attached is proof of payment.
- ☐ 2. This action is barred by the statute of limitations because
- ☐ the plaintiff failed to sue within six years of _____, the last activity on the alleged account.
MCL 600.5807(9) Date
- ☐ the alleged contract involves a motor vehicle retail installment sales contract or the sale of other goods, and the plaintiff failed to sue within four years of _____, the last activity on the alleged account.
MCL 440.2725(1) Date
- ☐ the plaintiff failed to sue within three years after the alleged contract of sale of a mobile home on _____.
MCL 125.2333 Date
- ☐ 3. ☐ I paid an amount that the plaintiff accepted as payment in full (accord and satisfaction). Attached is proof of payment.
- ☐ The debt was discharged in bankruptcy. The case number was _____.
- ☐ 4. The contract is void or voidable because
- ☐ I was a minor when the alleged contract was made.
- ☐ I was not mentally competent when the alleged contract was made. Probate case number _____.
Attached are my letters of conservatorship/guardianship.
- ☐ there was no valid contract (no meeting of the minds) because _____.
- ☐ 5. The contract was severely unjust or extremely one-sided (unconscionable).
- ☐ 6. I am not liable for the alleged damages because of the plaintiff's contributory negligence.
- ☐ 7. The alleged contract is unenforceable because it is not in writing (statute of frauds).
- ☐ 8. My vehicle was repossessed and later sold in a commercially unreasonable manner. MCL 440.9607(3).
- ☐ 9. The contract should not be enforced because of the plaintiff's improper conduct (fraud and/or duress).
- ☐ 10. The goods purchased were defective (failure of consideration).
- ☐ 11. The terms of the contract did not express what the parties intended (mutual mistake).
- ☐ 12. I have not been credited for all payments made on the alleged account. Attached is proof of payment.
- ☐ 13. Other:

Date

Defendant/Attorney Signature

Name (type or print)

Michigan Debt Collection And Exemption Manual

JR Anderson



Michigan Debt Collection And Exemption Manual:

Michigan Township Officers' Guide, 1926 Michigan. Department of State, 1926 Michigan Township Officers' Guide ...
Michigan. Legislature, 1926 *U.S. Master Multistate Corporate Tax Guide* CCH TAX Editors, 2008 An indispensable
resource for professionals who work with multiple state tax jurisdictions this reference offers return preparation guidance for
use by taxpayers subject to corporate income or income based taxes in more than one state **The American's Guide**
, 1855 **We The People's Guide to Bankruptcy** Ira Distenfield, Linda Distenfield, 2005-04-15 WE THE PEOPLE No
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and it s easier than you think Do it right do it inexpensively and do it yourself with We The People s Guide to Bankruptcy

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bankruptcy expert offers the reader comprehensive information on all capters of personal bankruptcy the most current legal
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Business Forms** Thomas Edie Hill, 1882 **Instructions for Sheriffs, Coroners, and Constables** Henry Binmore, 1894

The American's Guide. The Constitutions of the United States of America with the latest amendments; also the
Declaration of Independence, Articles of Confederation, with the Federal Constitution and Acts for the government of the
Territories United States, 1859 **The New Revised Hill's Manual of Social and Business Forms** Thomas Edie Hill, 1897

Multistate Sales Tax Guide ,1992 **IRS Guide to Free Tax Services for Tax Year** ,2000 **A Manual for Constables, Marshals, Policemen, and Other Ministerial Officers in Ohio** Florien Giauque,1891 **Official State of Michigan Department of Treasury Michigan Tax Guide** ,1997 **Hill's Manual of Social & Business Forms** Thomas Edie Hill,1874 **Complete Guide to Federal and State Garnishment, 2016 Edition** Amorette Nelson Bryant,2015-10-02

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