

**IN THE CHANCERY COURT OF MADISON COUNTY
STATE OF MISSISSIPPI**

MISSISSIPPI BOARD OF LICENSURE
FOR PROFESSIONAL
ENGINEERS AND SURVEYORS

PLAINTIFF

v.

Cause No. 2017-902W

BRENT MELTON AND
VIZALINE, LLC

DEFENDANTS

**ANSWER AND AFFIRMATIVE DEFENSES OF BRENT MELTON AND
VIZALINE, LLC**

Defendants Brent Melton and Vizaline, LLC file this Answer and Affirmative Defenses to the Complaint filed by the Mississippi Board of Licensure for Professional Engineers and Surveyors and state as follows:

FIRST AFFIRMATIVE DEFENSE

The Complaint fails to state a claim upon which relief can be granted and should be dismissed pursuant to Rule 12(b)(6) of the Mississippi Rules of Civil Procedure.

SECOND AFFIRMATIVE DEFENSE

The Mississippi Board of Licensure for Professional Engineers and Surveyors' suit is not supported by Mississippi Code §§ 73-13-1, *et seq.*

THIRD AFFIRMATIVE DEFENSE

The Mississippi Board of Licensure for Professional Engineers and Surveyors' suit violates Defendants' right to free speech protected by the First Amendment to the U.S. Constitution, as made applicable to the states through the Fourteenth Amendment to the U.S. Constitution.

FOURTH AFFIRMATIVE DEFENSE

1. Admit.

2. Admit.

3. Admit.

4. Admit.

5. This paragraph only quotes a statute, which speaks for itself, and it is the duty of this Court alone to interpret this statute without deference to any interpretation offered by the Board. No response to this paragraph is required, but to the extent a response is required, this paragraph is denied.

6. This paragraph only quotes a statute, which speaks for itself, and it is the duty of this Court alone to interpret this statute without deference to any interpretation offered by the Board. No response to this paragraph is required, but to the extent a response is required, this paragraph is denied.

7. Admit.

8. This paragraph only selectively quotes a statute, which speaks for itself, and it is the duty of this Court alone to interpret this statute without deference to any interpretation offered by the Board. No response to this paragraph is required, but to the extent a response is required, this paragraph is denied.

9. Denied.

10. Denied.

11. Denied.

12. Denied.

13. Denied.

14. Denied.
15. Denied.
16. Defendants incorporate and reassert their responses to paragraphs numbered 1 through 15, inclusive.
17. Denied.
18. Defendants incorporate and reassert their responses to paragraphs numbered 1 through 15, inclusive.
19. Denied.
20. Denied.
21. To the extent that the paragraph beginning “WHEREFORE, PREMISES CONSIDERED” contains any allegations, those allegations are denied. Defendants also deny that Plaintiff is entitled to any of the relief requested in this paragraph.

Respectfully submitted this the 9th day of July, 2018.

/s/ Adam Stone

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* *Pro hac vice* motions will be filed

CERTIFICATE OF SERVICE

I hereby certify that I have this day filed the foregoing document via the Court's electronic filing system which sent notification of such filing to all counsel of record.

This, the 9th day of July, 2018.

/s/Adam Stone
Adam Stone