

SUPPORT OF HIS ANSWER SHOWING CAUSE. THE FAILURE TO FILE SUCH OPPOSING AFFIDAVIT SHALL CONSTITUTE AN ADMISSION FOR THE PURPOSES OF THE PROCEEDINGS OF ALL STATEMENTS OF FACT IN THE AFFIDAVIT SUPPORTING THE PETITIONER'S CLAIM, BUT SHALL NOT CONSTITUTE AN ADMISSION THAT SUCH PETITION OF AFFIDAVIT IN SUPPORT THEREOF IS LEGALLY SUFFICIENT.

(3) AN ANSWER SHOWING CAUSE WHY A LIEN SHOULD NOT BE ESTABLISHED IN THE AMOUNT CLAIMED SHALL BE SET DOWN FOR HEARING AT THE EARLIEST POSSIBLE TIME.

(B) (1) IF THE PLEADINGS, AFFIDAVITS AND ADMISSIONS ON FILE, AND THE EVIDENCE, IF ANY, SHOW THAT THERE IS NO GENUINE DISPUTE AS TO ANY MATERIAL FACT AND THAT THE LIEN SHOULD ATTACH AS A MATTER OF LAW, THEN A FINAL ORDER SHALL BE ENTERED ESTABLISHING THE LIEN FOR WANT OF ANY CAUSE SHOWN TO THE CONTRARY. FURTHER, IF IT APPEARS THAT THERE IS NO GENUINE DISPUTE AS TO ANY PORTION OF THE LIEN CLAIM, THEN THE VALIDITY OF THAT PORTION SHALL BE ESTABLISHED AND THE ACTION SHALL PROCEED ONLY ON THE DISPUTED AMOUNT OF THE LIEN CLAIM.

(2) IF THE PLEADINGS, AFFIDAVITS AND ADMISSIONS ON FILE AND THE EVIDENCE, IF ANY, SHOW THAT THERE IS NO GENUINE DISPUTE AS TO ANY MATERIAL FACT AND THAT THE PETITIONER FAILED TO ESTABLISH HIS RIGHT TO A LIEN AS A MATTER OF LAW, THEN A FINAL ORDER SHALL BE ENTERED DENYING THE LIEN FOR CAUSE SHOWN.

(3) IF THE COURT DETERMINES FROM THE PLEADINGS, AFFIDAVITS AND ADMISSIONS ON FILE, AND THE EVIDENCE, IF ANY, THAT THE LIEN SHOULD NOT ATTACH, OR SHOULD NOT ATTACH IN THE AMOUNT CLAIMED, AS A MATTER OF LAW, BY ANY FINAL ORDER, BUT THAT THERE IS PROBABLE CAUSE TO BELIEVE THE PETITIONER IS ENTITLED TO A LIEN, THE COURT SHALL ENTER AN INTERLOCUTORY ORDER WHICH:

(I) ESTABLISHES THE LIEN;

(II) DESCRIBES THE BOUNDARIES OF THE LAND AND THE BUILDINGS TO WHICH THE LIEN ATTACHES;

(III) STATES THE AMOUNT OF THE CLAIM FOR WHICH PROBABLE CAUSE IS FOUND;

(IV) SPECIFIES THE AMOUNT OF A BOND THAT THE OWNER MAY FILE TO HAVE THE LAND AND BUILDING RELEASED FROM THE LIEN;

(V) MAY REQUIRE THE CLAIMANT TO FILE A BOND IN AN AMOUNT THAT THE COURT BELIEVES SUFFICIENT FOR DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES;

(VI) ASSIGNS A DATE FOR THE TRIAL OF ALL THE MATTERS AT ISSUE IN THE ACTION, WHICH SHALL BE WITHIN A PERIOD OF SIX MONTHS. THE OWNER OR ANY OTHER PERSON INTERESTED IN THE PROPERTY, HOWEVER, MAY, AT ANY TIME, MOVE TO HAVE THE LIEN ESTABLISHED BY THE