

**FILED**

LOS ANGELES SUPERIOR COURT

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AUG 08 2008

JOHN A. CLARKE, CLERK

BY CYNTHIA M. JACOBS, DEPUTY

Attorneys for Defendant, Ralph Hilliard and Wordnet Solution, Inc.

*fees due*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

JOHN GROGAN, an individual,

Plaintiff,

vs.

JOSEPH PAOLLELA, an individual, et al.

Defendants.

Case No.: BC391778

**ANSWER TO COMPLAINT BY  
DEFENDANT RALPH HILLIARD AND  
WORDNET SOLUTIONS, INC.**

Defendants Ralph Hilliard and Wordnet Solutions, Inc., and for no other persons, firms

and/or entities, answers, denies and admits the allegations contained in the Complaint on file  
herein as follows:

1. Pursuant to Code of Civil Procedure §431.30, these answering Defendants, and for no  
other persons, firms and/or entities, denies generally each and every allegation of the  
Complaint and specifically denies that Plaintiff is entitled to any award of any relief, or  
damages for any reason, or in any amount as against these answering Defendants.

Answer By Defendant Ralph Hilliard And Wordnet Solutions, Inc. To Complaint

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2 **FIRST AFFIRMATIVE DEFENSE**  
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5 2. The Complaint in its entirety fails to state facts sufficient to constitute a cause of action  
6 against these Defendants.  
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8 **SECOND AFFIRMATIVE DEFENSE**  
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11 3. The Complaint does not state facts sufficient to constitute a cause of action against these  
12 Defendants in that the statements alleged to be defamatory are not false statements of fact.  
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14 **THIRD AFFIRMATIVE DEFENSE**  
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17 4. The Complaint does not state facts sufficient to constitute a cause of action against these  
18 Defendants in that the statements alleged to be defamatory are expressions of opinion.  
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20 **FOURTH AFFIRMATIVE DEFENSE**  
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23 5. The allegedly defamatory statements of which Plaintiff complains are related to a matter  
24 of public concern and thus is constitutionally protected by application of C.C.P. §425.16.  
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1 **FIFTH AFFIRMATIVE DEFENSE**

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3 6. The Complaint does not state facts sufficient to constitute a cause of action against these  
4 Defendants in that the statements alleged relate to a matter of public concern and Plaintiff has  
5 failed to adequately allege that those statements concerning him caused Plaintiff any actual  
6 injury.  
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9 **SIXTH AFFIRMATIVE DEFENSE**

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12 7. The Complaint does not state facts sufficient to constitute a cause of action against these  
13 Defendants as it fails to allege that these Defendants broadcast the allegedly defamatory  
14 statements with knowledge of their falsity or with reckless disregard for their truth.  
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17 **SEVENTH AFFIRMATIVE DEFENSE**

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19 8. The Complaint and each cause of action alleged against these Defendants gives rise to  
20 no viable cause of action against these Defendants as the statements were true.  
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23 **EIGHTH AFFIRMATIVE DEFENSE**

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25 9. The Complaint and each cause of action alleged against these Defendants gives rise to  
26 no viable theory of recovery against these Defendants as the alleged statements are privileged  
27 by application of Civil Code §47(c).  
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1 NINTH AFFIRMATIVE DEFENSE

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3 10. The claims of Plaintiff are barred by his failure to exercise reasonable care and  
4 diligence to mitigate his alleged damages. Therefore, any recovery by Plaintiff must be barred  
5 or reduced by his failure to mitigate.  
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8 WHEREFORE, Defendants pray for judgment as follows:  
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- 10 1. Plaintiff take nothing by way of his complaint on file herein;  
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13 2. For costs of suit incurred herein; and  
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15 3. For such other and further relief as this court deems just and proper.  
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20 DATED: August 8, 2008

AGA JANIAN LAW GROUP, PC

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24 By: TIM M. AGAJANIAN, Attorneys for  
25 Defendants Ralph Hilliard and Wordnet  
26 Solutions, Inc.  
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I am employed in the county of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within entitled action; my business address is 626 Wilshire Boulevard, Suite 320, Los Angeles, California 90017.

**PLEASE SEE ATTACHED SERVICE LIST**

**ATTACHED SERVICE LIST** in the manner described below:

**[ ] BY FACSIMILE:** I transmitted the foregoing document(s) by facsimile to the party identified above by using the facsimile number indicated. Said transmission(s) were verified as complete and without error.

[ ] **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose directions this service is made.

**I ]STATE:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 8, 2008, at Los Angeles, California.

~~Elizabeth Avila~~

1  
2 **PROOF OF SERVICE**

3 (Grogan vs. Paolella et al. LASC Case No. BC391778)  
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