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11 Attorneys for Defendant
12 MARIO LAVANDEIRA, dba Perez Hilton

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **WESTERN DIVISION**

17 SPLASH NEWS & PICTURE
18 AGENCY, INC., BAUER-GRIFFIN,
19 LLC, FLYNET PICTURES, LLC,
20 and INSIGHT NEWS & FEATURES, INC.
21 and LONDON ENTERTAINMENT,
22 INC.

23 Plaintiffs,

24 v.

25 MARIO LAVANDEIRA d/b/a PEREZ
26 HILTON.COM, and JOHN and JANE
27 DOES 1 through 10, inclusive,

28 Defendants.

) CASE NO.: CV 07-2668 VBF (JCx)

) **[PROPOSED] FIRST AMENDED**
) **ANSWER TO COMPLAINT;**
) **DEMAND FOR JURY TRIAL**

29 Defendant Mario Lavanderia (“Defendant”), for himself and no other individuals
30 or entities, by and through his attorneys of record, Freedman & Taitelman, LLP and Doll

1 Amir & Eley, LLP, as and for his answer to the Complaint (the “Complaint”) filed by
2 Plaintiffs Splash News & Picture Agency, Inc., Bauer-Griffin, LLC, Flynet Pictures,
3 LLC, Insight News & Features, Inc. and London Entertainment, Inc. (collectively
4 referred to herein as “Plaintiffs”), hereinafter admits or denies the allegations of the
5 Complaint as follows:

6 1. Admits the allegation that Plaintiffs, by and through their Complaint,
7 purportedly seek damages and injunctive relief against Defendant for copyright
8 infringement in violation of the United States Copyright Act, 17 U.S.C. §§ 101 *et seq.*;
9 however, Defendant denies that any such infringement occurred or that any such
10 injunctive relief or damages are warranted in this case. Defendant avers that no response
11 is required to the remaining legal conclusions in paragraph 2 of the Complaint regarding
12 jurisdiction and supplemental jurisdiction insofar as it merely asserts legal conclusions.

13 2. Avers that no response is required to paragraph 2 of the Complaint insofar as
14 it merely asserts a legal conclusion.

15 3. Lacks knowledge or information sufficient to form a belief as to the truth of
16 the allegations contained in paragraph 3 of the Complaint, and, on that basis, denies
17 them.

18 4. Lacks knowledge or information sufficient to form a belief as to the truth of
19 the allegations contained in paragraph 4 of the Complaint, and, on that basis, denies
20 them.

21 5. Lacks knowledge or information sufficient to form a belief as to the truth of
22 the allegations contained in paragraph 5 of the Complaint, and, on that basis, denies
23 them.

24 6. Lacks knowledge or information sufficient to form a belief as to the truth of
25 the allegations contained in paragraph 6 of the Complaint, and, on that basis, denies
26 them.

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1 7. Lacks knowledge or information sufficient to form a belief as to the truth of
2 the allegations contained in paragraph 7 of the Complaint, and, on that basis, denies
3 them.

4 8. Denies the allegations contained in paragraph 8 of the Complaint, except
5 admits that Defendant is an individual residing in California, does business under the
6 name Perez Hilton and operates an Internet website located at
7 <http://www.perezhilton.com>.

8 9. Denies the allegations contained in paragraph 9 of the Complaint, except
9 admits that Defendant is an individual residing in California, does business under the
10 name Perez Hilton and operates an Internet website located at
11 <http://www.perezhilton.com>.

12 10. Denies the allegations contained in paragraph 10 of the Complaint, except
13 admits that Defendant operates the website <http://www.perezhilton.com>, a news
14 reporting website which, among other things, provides satirical commentary on current
15 celebrity-related news written and composed by Defendant, and which generates
16 advertising revenue.

17 11. Denies the allegations contained in paragraph 11 of the Complaint, except
18 admits that Defendant operates the website <http://www.perezhilton.com>, a news
19 reporting website which, among other things, provides satirical commentary on current
20 celebrity-related news written and composed by Defendant, and which generates
21 advertising revenue.

22 12. Denies the allegations contained in paragraph 12 of the Complaint, except
23 admits that Defendant operates the website <http://www.perezhilton.com>, a news
24 reporting website which, among other things, provides satirical commentary on current
25 celebrity-related news written and composed by Defendant, and which generates
26 advertising revenue.

27 13. Denies the allegations contained in paragraph 13 of the Complaint, except
28 admits that Defendant operates the website <http://www.perezhilton.com>, a news

1 reporting website which, among other things, provides satirical commentary on current
2 celebrity-related news written and composed by Defendant, and which generates
3 advertising revenue.

4 14. Denies the allegations contained in paragraph 14 of the Complaint, except
5 admits that Defendant is an individual residing in California, does business under the
6 name Perez Hilton and operates an Internet website located at
7 <http://www.perezhilton.com>.

8 15. Denies the allegations contained in paragraph 15 of the Complaint, except
9 admits that Defendant is an individual residing in California, does business under the
10 name Perez Hilton and operates an Internet website located at
11 <http://www.perezhilton.com>.

12 16. Lacks knowledge or information sufficient to form a belief as to the truth of
13 the allegations contained in paragraph 16 of the Complaint, and on that basis denies
14 them.

15 17. Denies the allegations contained in paragraph 17 of the Complaint.

16 18. Denies the allegations contained in paragraph 18 of the Complaint.

17 19. Denies the allegations contained in paragraph 19 of the Complaint.

18 20. Defendant repeats and realleges each and every response to paragraphs 1
19 through 19 hereof as if fully set forth herein.

20 21. Lacks knowledge or information sufficient to form a belief as to the truth of
21 the allegations contained in paragraph 21 of the Complaint, and on that basis denies
22 them.

23 22. Lacks knowledge or information sufficient to form a belief as to the truth of
24 the allegations contained in paragraph 22 of the Complaint, and on that basis denies
25 them.

26 23. Lacks knowledge or information sufficient to form a belief as to the truth of
27 the allegations contained in paragraph 23 of the Complaint, and on that basis denies
28 them.

1 24. Lacks knowledge or information sufficient to form a belief as to the truth of
2 the allegations contained in paragraph 24 of the Complaint, and on that basis denies
3 them.

4 25. Lacks knowledge or information sufficient to form a belief as to the truth of
5 the allegations contained in paragraph 25 of the Complaint, and on that basis denies
6 them.

7 26. Lacks knowledge or information sufficient to form a belief as to the truth of
8 the allegations contained in paragraph 26 of the Complaint, and on that basis denies
9 them.

10 27. Lacks knowledge or information sufficient to form a belief as to the truth of
11 the allegations contained in paragraph 27 of the Complaint, and on that basis denies
12 them.

13 28. Lacks knowledge or information sufficient to form a belief as to the truth of
14 the allegations contained in paragraph 28 of the Complaint, and on that basis denies
15 them.

16 29. Lacks knowledge or information sufficient to form a belief as to the truth of
17 the allegations contained in paragraph 29 of the Complaint, and on that basis denies
18 them.

19 30. Lacks knowledge or information sufficient to form a belief as to the truth of
20 the allegations contained in paragraph 30 of the Complaint, and on that basis denies
21 them.

22 31. Lacks knowledge or information sufficient to form a belief as to the truth of
23 the allegations contained in paragraph 31 of the Complaint, and on that basis denies
24 them.

25 32. Denies the allegations contained in paragraph 32 of the Complaint, except
26 admits that Defendant operates the website <http://www.perezhilton.com>, a news
27 reporting website which, among other things, provides satirical commentary on current
28

1 celebrity-related news written and composed by Defendant, and which generates
2 advertising revenue.

3 33. Denies the allegations contained in paragraph 33 of the Complaint, except
4 admits that Defendant operates the website <http://www.perezhilton.com>, a news
5 reporting website which, among other things, provides satirical commentary on current
6 celebrity-related news written and composed by Defendant, and which generates
7 advertising revenue.

8 34. Denies the allegations contained in paragraph 34 of the Complaint, except
9 admits that Defendant operates the website <http://www.perezhilton.com>, a news
10 reporting website which, among other things, provides satirical commentary on current
11 celebrity-related news written and composed by Defendant, and which generates
12 advertising revenue.

13 35. Denies the allegations contained in paragraph 35 of the Complaint.

14 36. Denies the allegations contained in paragraph 36 of the Complaint.

15 37. Denies the allegations contained in paragraph 37 of the Complaint.

16 38. Denies the allegations contained in paragraph 38 of the Complaint.

17 39. Denies the allegations contained in paragraph 39 of the Complaint.

18 40. Denies the allegations contained in paragraph 40 of the Complaint.

19 41. Denies the allegations contained in paragraph 41 of the Complaint, except
20 admits that Defendant operates the website <http://www.perezhilton.com>, a news
21 reporting website which, among other things, provides satirical commentary on current
22 celebrity-related news written and composed by Defendant, and which generates
23 advertising revenue.

24 42. Denies the allegations contained in paragraph 42 of the Complaint, except
25 admits that Defendant operates the website <http://www.perezhilton.com>, a news
26 reporting website which, among other things, provides satirical commentary on current
27 celebrity-related news written and composed by Defendant, and which generates
28 advertising revenue.

1 43. Denies the allegations contained in paragraph 43 of the Complaint, except
2 admits that Defendant operates the website <http://www.perezhilton.com>, a news
3 reporting website which, among other things, provides satirical commentary on current
4 celebrity-related news written and composed by Defendant, and which generates
5 advertising revenue.

6 44. Denies the allegations contained in paragraph 44 of the Complaint.

7 45. Denies the allegations contained in paragraph 45 of the Complaint.

8 46. Denies the allegations contained in paragraph 46 of the Complaint.

9 47. Denies the allegations contained in paragraph 47 of the Complaint.

10 48. Denies the allegations contained in paragraph 48 of the Complaint.

11 49. Denies the allegations contained in paragraph 49 of the Complaint.

12 50. Denies the allegations contained in paragraph 50 of the Complaint.

13 51. Lacks knowledge or information sufficient to form a belief as to the truth of
14 the allegations contained in paragraph 51 of the Complaint, and, on that basis, denies
15 them.

16 52. Denies the allegations contained in paragraph 52 of the Complaint.

17 53. Denies the allegations contained in paragraph 53 of the Complaint.

18 54. Denies the allegations contained in paragraph 54 of the Complaint.

19 55. Denies the allegations contained in paragraph 55 of the Complaint.

20 56. Denies the allegations contained in paragraph 56 of the Complaint.

21 57. Denies the allegations contained in paragraph 57 of the Complaint.

22 58. Denies the allegations contained in paragraph 58 of the Complaint.

23 59. Denies the allegations contained in paragraph 59 of the Complaint.

24 60. Denies the allegations contained in paragraph 60 of the Complaint.

25 61. Denies the allegations contained in paragraph 61 of the Complaint.

26 62. Defendant repeats and realleges each and every response to paragraphs 1
27 through 61 hereof as if fully set forth herein.

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1 63. Lacks knowledge or information sufficient to form a belief as to the truth of
2 the allegations contained in paragraph 63 of the Complaint, and, on that basis, denies
3 them.

4 64. Lacks knowledge or information sufficient to form a belief as to the truth of
5 the allegations contained in paragraph 64 of the Complaint, and, on that basis, denies
6 them.

7 65. Lacks knowledge or information sufficient to form a belief as to the truth of
8 the allegations contained in paragraph 65 of the Complaint, and, on that basis, denies
9 them.

10 66. Lacks knowledge or information sufficient to form a belief as to the truth of
11 the allegations contained in paragraph 66 of the Complaint, and, on that basis, denies
12 them.

13 67. Lacks knowledge or information sufficient to form a belief as to the truth of
14 the allegations contained in paragraph 67 of the Complaint, and, on that basis, denies
15 them.

16 68. Lacks knowledge or information sufficient to form a belief as to the truth of
17 the allegations contained in paragraph 68 of the Complaint, and, on that basis, denies
18 them.

19 69. Lacks knowledge or information sufficient to form a belief as to the truth of
20 the allegations contained in paragraph 69 of the Complaint, and, on that basis, denies
21 them.

22 70. Denies the allegations contained in paragraph 70 of the Complaint except
23 admits that he operates a news reporting website that, among other things, provides
24 satirical commentary on current celebrity-related news, and that Defendant may have
25 posted images of Victoria Beckham on his website on this particular date.

26 71. Lacks knowledge or information sufficient to form a belief as to the truth of
27 the allegations contained in paragraph 71 of the Complaint, and, on that basis, denies
28 them.

1 72. Lacks knowledge or information sufficient to form a belief as to the truth of
2 the allegations contained in paragraph 72 of the Complaint, and, on that basis, denies
3 them.

4 73. Lacks knowledge or information sufficient to form a belief as to the truth of
5 the allegations contained in paragraph 73 of the Complaint, and, on that basis, denies
6 them.

7 74. Lacks knowledge or information sufficient to form a belief as to the truth of
8 the allegations contained in paragraph 74 of the Complaint, and, on that basis, denies
9 them.

10 75. Lacks knowledge or information sufficient to form a belief as to the truth of
11 the allegations contained in paragraph 75 of the Complaint, and, on that basis, denies
12 them.

13 76. Lacks knowledge or information sufficient to form a belief as to the truth of
14 the allegations contained in paragraph 76 of the Complaint, and, on that basis, denies
15 them.

16 77. Lacks knowledge or information sufficient to form a belief as to the truth of
17 the allegations contained in paragraph 77 of the Complaint, and, on that basis, denies
18 them.

19 78. Lacks knowledge or information sufficient to form a belief as to the truth of
20 the allegations contained in paragraph 78 of the Complaint, and, on that basis, denies
21 them.

22 79. Denies the allegations contained in paragraph 79 of the Complaint.

23 80. Denies the allegations contained in paragraph 80 of the Complaint.

24 81. Denies the allegations contained in paragraph 81 of the Complaint.

25 82. Defendant repeats and realleges each and every response to paragraphs 1
26 through 81 hereof as if fully set forth herein.

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1 83. Lacks knowledge or information sufficient to form a belief as to the truth of
2 the allegations contained in paragraph 83 of the Complaint, and, on that basis, denies
3 them.

4 84. Lacks knowledge or information sufficient to form a belief as to the truth of
5 the allegations contained in paragraph 84 of the Complaint, and, on that basis, denies
6 them.

7 85. Lacks knowledge or information sufficient to form a belief as to the truth of
8 the allegations contained in paragraph 85 of the Complaint, and, on that basis, denies
9 them.

10 86. Lacks knowledge or information sufficient to form a belief as to the truth of
11 the allegations contained in paragraph 86 of the Complaint, and, on that basis, denies
12 them.

13 87. Lacks knowledge or information sufficient to form a belief as to the truth of
14 the allegations contained in paragraph 87 of the Complaint, and, on that basis, denies
15 them.

16 88. Lacks knowledge or information sufficient to form a belief as to the truth of
17 the allegations contained in paragraph 88 of the Complaint, and, on that basis, denies
18 them.

19 89. Denies the allegations contained in paragraph 89 of the Complaint except
20 admits that he operates a news reporting website that, among other things, provides
21 satirical commentary on current celebrity-related news, and that Defendant may have
22 posted images of Beyonce Knowles on his website on this particular date.

23 90. Denies the allegations contained in paragraph 90 of the Complaint.

24 91. Lacks knowledge or information sufficient to form a belief as to the truth of
25 the allegations contained in paragraph 91 of the Complaint, and, on that basis, denies
26 them.

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1 92. Lacks knowledge or information sufficient to form a belief as to the truth of
2 the allegations contained in paragraph 92 of the Complaint, and, on that basis, denies
3 them.

4 93. Lacks knowledge or information sufficient to form a belief as to the truth of
5 the allegations contained in paragraph 93 of the Complaint, and, on that basis, denies
6 them.

7 94. Lacks knowledge or information sufficient to form a belief as to the truth of
8 the allegations contained in paragraph 94 of the Complaint, and, on that basis, denies
9 them.

10 95. Lacks knowledge or information sufficient to form a belief as to the truth of
11 the allegations contained in paragraph 95 of the Complaint, and, on that basis, denies
12 them.

13 96. Lacks knowledge or information sufficient to form a belief as to the truth of
14 the allegations contained in paragraph 96 of the Complaint, and, on that basis, denies
15 them.

16 97. Lacks knowledge or information sufficient to form a belief as to the truth of
17 the allegations contained in paragraph 97 of the Complaint, and, on that basis, denies
18 them.

19 98. Denies the allegations contained in paragraph 98 of the Complaint.

20 99. Denies the allegations contained in paragraph 99 of the Complaint.

21 100. Denies the allegations contained in paragraph 100 of the Complaint.

22 101. Defendant repeats and realleges each and every response to paragraphs 1
23 through 100 hereof as if fully set forth herein.

24 102. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 102 of the Complaint, and, on that basis denies
26 them.

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1 103. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 103 of the Complaint, and, on that basis denies
3 them.

4 104. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 104 of the Complaint, and, on that basis denies
6 them.

7 105. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 105 of the Complaint, and, on that basis denies
9 them.

10 106. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 106 of the Complaint, and, on that basis denies
12 them.

13 107. Lacks knowledge or information sufficient to form a belief as to the truth
14 of the allegations contained in paragraph 107 of the Complaint, and, on that basis denies
15 them.

16 108. Denies the allegations contained in paragraph 108 of the Complaint except
17 admits that he operates a news reporting website that, among other things, provides
18 satirical commentary on current celebrity-related news, and that Defendant may have
19 posted images of Sienna Miller on his website on this particular date.

20 109. Denies the allegations contained in paragraph 109 of the Complaint.

21 110. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 110 of the Complaint, and, on that basis, denies
23 them.

24 111. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 111 of the Complaint, and, on that basis, denies
26 them.

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1 112. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 112 of the Complaint, and, on that basis, denies
3 them.

4 113. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 113 of the Complaint, and, on that basis, denies
6 them.

7 114. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 114 of the Complaint, and, on that basis, denies
9 them.

10 115. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 115 of the Complaint, and, on that basis denies
12 them.

13 116. Lacks knowledge or information sufficient to form a belief as to the truth
14 of the allegations contained in paragraph 116 of the Complaint, and, on that basis denies
15 them.

16 117. Denies the allegations contained in paragraph 117 of the Complaint.

17 118. Denies the allegations contained in paragraph 118 of the Complaint.

18 119. Denies the allegations contained in paragraph 119 of the Complaint.

19 120. Defendant repeats and realleges each and every response to paragraphs 1
20 through 119 hereof as if fully set forth herein.

21 121. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 121 of the Complaint, and, on that basis denies
23 them.

24 122. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 122 of the Complaint, and, on that basis denies
26 them.

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1 123. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 123 of the Complaint, and, on that basis denies
3 them.

4 124. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 124 of the Complaint, and, on that basis denies
6 them.

7 125. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 125 of the Complaint, and, on that basis denies
9 them.

10 126. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 126 of the Complaint, and, on that basis denies
12 them.

13 127. Denies the allegations contained in paragraph 127 of the Complaint except
14 admits that he operates a news reporting website that, among other things, provides
15 satirical commentary on current celebrity-related news, and that Defendant may have
16 posted images of Victoria Beckham on his website on this particular date.

17 128. Denies the allegations contained in paragraph 128 of the Complaint.

18 129. Lacks knowledge or information sufficient to form a belief as to the truth
19 of the allegations contained in paragraph 129 of the Complaint, and, on that basis, denies
20 them.

21 130. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 130 of the Complaint, and, on that basis, denies
23 them.

24 131. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 131 of the Complaint, and, on that basis, denies
26 them.

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1 132. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 132 of the Complaint, and, on that basis, denies
3 them.

4 133. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 133 of the Complaint, and, on that basis, denies
6 them.

7 134. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 134 of the Complaint, and, on that basis denies
9 them.

10 135. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 135 of the Complaint, and, on that basis denies
12 them.

13 136. Denies the allegations contained in paragraph 136 of the Complaint.

14 137. Denies the allegations contained in paragraph 137 of the Complaint.

15 138. Denies the allegations contained in paragraph 138 of the Complaint.

16 139. Defendant repeats and realleges each and every response to paragraphs 1
17 through 138 hereof as if fully set forth herein.

18 140. Lacks knowledge or information sufficient to form a belief as to the truth
19 of the allegations contained in paragraph 140 of the Complaint, and, on that basis denies
20 them.

21 141. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 141 of the Complaint, and, on that basis denies
23 them.

24 142. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 142 of the Complaint, and, on that basis denies
26 them.

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1 143. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 143 of the Complaint, and, on that basis denies
3 them.

4 144. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 144 of the Complaint, and, on that basis denies
6 them.

7 145. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 145 of the Complaint, and, on that basis denies
9 them.

10 146. Denies the allegations contained in paragraph 146 of the Complaint except
11 admits that he operates a news reporting website that, among other things, provides
12 satirical commentary on current celebrity-related news, and that Defendant may have
13 posted images of Britney Spears on his website on this particular date.

14 147. Denies the allegations contained in paragraph 147 of the Complaint.

15 148. Lacks knowledge or information sufficient to form a belief as to the truth
16 of the allegations contained in paragraph 148 of the Complaint, and, on that basis denies
17 them.

18 149. Lacks knowledge or information sufficient to form a belief as to the truth
19 of the allegations contained in paragraph 149 of the Complaint, and, on that basis denies
20 them.

21 150. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 150 of the Complaint, and, on that basis denies
23 them.

24 151. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 151 of the Complaint, and, on that basis, denies
26 them.

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1 152. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 152 of the Complaint, and, on that basis, denies
3 them.

4 153. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 153 of the Complaint, and, on that basis denies
6 them.

7 154. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 154 of the Complaint, and, on that basis denies
9 them.

10 155. Denies the allegations contained in paragraph 155 of the Complaint.

11 156. Denies the allegations contained in paragraph 156 of the Complaint.

12 157. Denies the allegations contained in paragraph 157 of the Complaint.

13 158. Defendant repeats and realleges each and every response to paragraphs 1
14 through 157 hereof as if fully set forth herein.

15 159. Lacks knowledge or information sufficient to form a belief as to the truth
16 of the allegations contained in paragraph 159 of the Complaint, and, on that basis denies
17 them.

18 160. Lacks knowledge or information sufficient to form a belief as to the truth
19 of the allegations contained in paragraph 160 of the Complaint, and, on that basis denies
20 them.

21 161. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 161 of the Complaint, and, on that basis denies
23 them.

24 162. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 162 of the Complaint, and, on that basis denies
26 them.

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1 163. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 163 of the Complaint, and, on that basis denies
3 them.

4 164. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 164 of the Complaint, and, on that basis denies
6 them.

7 165. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 165 of the Complaint, and, on that basis denies
9 them.

10 166. Denies the allegations contained in paragraph 166 of the Complaint except
11 admits that he operates a news reporting website that, among other things, provides
12 satirical commentary on current celebrity-related news, and that Defendant may have
13 posted images of Anna Nicole Smith on his website on this particular date.

14 167. Denies the allegations contained in paragraph 167 of the Complaint.

15 168. Lacks knowledge or information sufficient to form a belief as to the truth
16 of the allegations contained in paragraph 168 of the Complaint, and, on that basis, denies
17 them.

18 169. Lacks knowledge or information sufficient to form a belief as to the truth
19 of the allegations contained in paragraph 169 of the Complaint, and, on that basis denies
20 them.

21 170. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 170 of the Complaint, and, on that basis denies
23 them.

24 171. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 171 of the Complaint, and, on that basis, denies
26 them.

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1 172. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 172 of the Complaint, and, on that basis, denies
3 them.

4 173. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 173 of the Complaint, and, on that basis denies
6 them.

7 174. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 174 of the Complaint, and, on that basis denies
9 them.

10 175. Denies the allegations contained in paragraph 175 of the Complaint.

11 176. Denies the allegations contained in paragraph 176 of the Complaint.

12 177. Denies the allegations contained in paragraph 177 of the Complaint.

13 178. Defendant repeats and realleges each and every response to paragraphs 1
14 through 177 hereof as if fully set forth herein.

15 179. Lacks knowledge or information sufficient to form a belief as to the truth
16 of the allegations contained in paragraph 179 of the Complaint, and, on that basis denies
17 them.

18 180. Lacks knowledge or information sufficient to form a belief as to the truth
19 of the allegations contained in paragraph 180 of the Complaint, and, on that basis denies
20 them.

21 181. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 181 of the Complaint, and, on that basis denies
23 them.

24 182. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 182 of the Complaint, and, on that basis denies
26 them.

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1 183. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 183 of the Complaint, and, on that basis denies
3 them.

4 184. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 184 of the Complaint, and, on that basis denies
6 them.

7 185. Denies the allegations contained in paragraph 185 of the Complaint except
8 admits that he operates a news reporting website that, among other things, provides
9 satirical commentary on current celebrity-related news, and that Defendant may have
10 posted images of Britney Spears and Jessica Simpson on his website on this particular
11 date.

12 186. Denies the allegations contained in paragraph 186 of the Complaint.

13 187. Lacks knowledge or information sufficient to form a belief as to the truth
14 of the allegations contained in paragraph 187 of the Complaint, and, on that basis, denies
15 them.

16 188. Lacks knowledge or information sufficient to form a belief as to the truth
17 of the allegations contained in paragraph 188 of the Complaint, and, on that basis denies
18 them.

19 189. Lacks knowledge or information sufficient to form a belief as to the truth
20 of the allegations contained in paragraph 189 of the Complaint, and, on that basis denies
21 them.

22 190. Lacks knowledge or information sufficient to form a belief as to the truth
23 of the allegations contained in paragraph 190 of the Complaint, and, on that basis denies
24 them.

25 191. Lacks knowledge or information sufficient to form a belief as to the truth
26 of the allegations contained in paragraph 191 of the Complaint, and, on that basis denies
27 them.

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1 192. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 192 of the Complaint, and, on that basis denies
3 them.

4 193. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 193 of the Complaint, and, on that basis denies
6 them.

7 194. Denies the allegations contained in paragraph 194 of the Complaint.

8 195. Denies the allegations contained in paragraph 195 of the Complaint.

9 196. Denies the allegations contained in paragraph 196 of the Complaint.

10 197. Defendant repeats and realleges each and every response to paragraphs 1
11 through 196 hereof as if fully set forth herein.

12 198. Lacks knowledge or information sufficient to form a belief as to the truth
13 of the allegations contained in paragraph 198 of the Complaint, and, on that basis denies
14 them.

15 199. Lacks knowledge or information sufficient to form a belief as to the truth
16 of the allegations contained in paragraph 199 of the Complaint, and, on that basis denies
17 them.

18 200. Lacks knowledge or information sufficient to form a belief as to the truth
19 of the allegations contained in paragraph 200 of the Complaint, and, on that basis denies
20 them.

21 201. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 201 of the Complaint, and, on that basis denies
23 them.

24 202. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 202 of the Complaint, and, on that basis denies
26 them.

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1 203. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 203 of the Complaint, and, on that basis denies
3 them.

4 204. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 204 of the Complaint, and, on that basis denies
6 them.

7 205. Denies the allegations contained in paragraph 205 of the Complaint.

8 206. Lacks knowledge or information sufficient to form a belief as to the truth
9 of the allegations contained in paragraph 206 of the Complaint, and, on that basis denies
10 them.

11 207. Lacks knowledge or information sufficient to form a belief as to the truth
12 of the allegations contained in paragraph 207 of the Complaint, and, on that basis denies
13 them.

14 208. Lacks knowledge or information sufficient to form a belief as to the truth
15 of the allegations contained in paragraph 208 of the Complaint, and, on that basis denies
16 them.

17 209. Lacks knowledge or information sufficient to form a belief as to the truth
18 of the allegations contained in paragraph 209 of the Complaint, and, on that basis denies
19 them.

20 210. Lacks knowledge or information sufficient to form a belief as to the truth
21 of the allegations contained in paragraph 210 of the Complaint, and, on that basis denies
22 them.

23 211. Lacks knowledge or information sufficient to form a belief as to the truth
24 of the allegations contained in paragraph 211 of the Complaint, and, on that basis denies
25 them.

26 212. Lacks knowledge or information sufficient to form a belief as to the truth
27 of the allegations contained in paragraph 212 of the Complaint, and, on that basis denies
28 them.

1 213. Denies the allegations contained in paragraph 213 of the Complaint.

2 214. Denies the allegations contained in paragraph 214 of the Complaint.

3 215. Denies the allegations contained in paragraph 215 of the Complaint.

4 216. Defendant repeats and realleges each and every response to paragraphs 1
5 through 215 hereof as if fully set forth herein.

6 217. Lacks knowledge or information sufficient to form a belief as to the truth
7 of the allegations contained in paragraph 217 of the Complaint, and, on that basis denies
8 them.

9 218. Lacks knowledge or information sufficient to form a belief as to the truth
10 of the allegations contained in paragraph 218 of the Complaint, and, on that basis denies
11 them.

12 219. Lacks knowledge or information sufficient to form a belief as to the truth
13 of the allegations contained in paragraph 219 of the Complaint, and, on that basis denies
14 them.

15 220. Lacks knowledge or information sufficient to form a belief as to the truth
16 of the allegations contained in paragraph 220 of the Complaint, and, on that basis denies
17 them.

18 221. Lacks knowledge or information sufficient to form a belief as to the truth
19 of the allegations contained in paragraph 221 of the Complaint, and, on that basis denies
20 them.

21 222. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 222 of the Complaint, and, on that basis denies
23 them.

24 223. Denies the allegations contained in paragraph 223 of the Complaint except
25 admits that he operates a news reporting website that, among other things, provides
26 satirical commentary on current celebrity-related news, and that Defendant may have
27 posted images of Meg Ryan, Pamela Anderson, Britney Spears, Ashley Osen and Jake
28 Gyllenhaal on his website.

1 224. Denies the allegations contained in paragraph 224 of the Complaint.

2 225. Lacks knowledge or information sufficient to form a belief as to the truth
3 of the allegations contained in paragraph 225 of the Complaint, and, on that basis, denies
4 them.

5 226. Lacks knowledge or information sufficient to form a belief as to the truth
6 of the allegations contained in paragraph 226 of the Complaint, and, on that basis denies
7 them.

8 227. Lacks knowledge or information sufficient to form a belief as to the truth
9 of the allegations contained in paragraph 227 of the Complaint, and, on that basis denies
10 them.

11 228. Lacks knowledge or information sufficient to form a belief as to the truth
12 of the allegations contained in paragraph 228 of the Complaint, and, on that basis denies
13 them.

14 229. Lacks knowledge or information sufficient to form a belief as to the truth
15 of the allegations contained in paragraph 229 of the Complaint, and, on that basis denies
16 them.

17 230. Lacks knowledge or information sufficient to form a belief as to the truth
18 of the allegations contained in paragraph 230 of the Complaint, and, on that basis denies
19 them.

20 231. Lacks knowledge or information sufficient to form a belief as to the truth
21 of the allegations contained in paragraph 231 of the Complaint, and, on that basis denies
22 them.

23 232. Denies the allegations contained in paragraph 232 of the Complaint.

24 233. Denies the allegations contained in paragraph 233 of the Complaint.

25 234. Denies the allegations contained in paragraph 234 of the Complaint.

26 235. Defendant repeats and realleges each and every response to paragraphs 1
27 through 234 hereof as if fully set forth herein.

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1 236. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 236 of the Complaint, and, on that basis denies
3 them.

4 237. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 237 of the Complaint, and, on that basis denies
6 them.

7 238. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 238 of the Complaint, and, on that basis denies
9 them.

10 239. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 239 of the Complaint, and, on that basis denies
12 them.

13 240. Lacks knowledge or information sufficient to form a belief as to the truth
14 of the allegations contained in paragraph 240 of the Complaint, and, on that basis denies
15 them.

16 241. Lacks knowledge or information sufficient to form a belief as to the truth
17 of the allegations contained in paragraph 241 of the Complaint, and, on that basis denies
18 them.

19 242. Denies the allegations contained in paragraph 242 of the Complaint except
20 admits that he operates a news reporting website that, among other things, provides
21 satirical commentary on current celebrity-related news, and that Defendant may have
22 posted images of Nicole Richie, Scarlett Johansen, Sienna Miller, Angelina Jolie, Brad
23 Pitt, Kate Bosworth, Nick Lachey and Vanessa Minillo on his website.

24 243. Denies the allegations contained in paragraph 243 of the Complaint.

25 244. Lacks knowledge or information sufficient to form a belief as to the truth
26 of the allegations contained in paragraph 244 of the Complaint, and, on that basis, denies
27 them.

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1 245. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 245 of the Complaint, and, on that basis denies
3 them.

4 246. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 246 of the Complaint, and, on that basis denies
6 them.

7 247. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 247 of the Complaint, and, on that basis denies
9 them.

10 248. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 248 of the Complaint, and, on that basis denies
12 them.

13 249. Lacks knowledge or information sufficient to form a belief as to the truth
14 of the allegations contained in paragraph 249 of the Complaint, and, on that basis denies
15 them.

16 250. Lacks knowledge or information sufficient to form a belief as to the truth
17 of the allegations contained in paragraph 250 of the Complaint, and, on that basis denies
18 them.

19 251. Denies the allegations contained in paragraph 251 of the Complaint.

20 252. Denies the allegations contained in paragraph 252 of the Complaint.

21 253. Denies the allegations contained in paragraph 253 of the Complaint.

22 254. Defendant repeats and realleges each and every response to paragraphs 1
23 through 253 hereof as if fully set forth herein.

24 255. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 255 of the Complaint, and, on that basis denies
26 them.

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1 256. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 256 of the Complaint, and, on that basis denies
3 them.

4 257. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 257 of the Complaint, and, on that basis denies
6 them.

7 258. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 258 of the Complaint, and, on that basis denies
9 them.

10 259. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 259 of the Complaint, and, on that basis denies
12 them.

13 260. Lacks knowledge or information sufficient to form a belief as to the truth
14 of the allegations contained in paragraph 260 of the Complaint, and, on that basis denies
15 them.

16 261. Denies the allegations contained in paragraph 261 of the Complaint except
17 admits that he operates a news reporting website that, among other things, provides
18 satirical commentary on current celebrity-related news, and that Defendant may have
19 posted images of Gwen Stefani, Gavin Rossdale, Jessica Biel, Madonna, and Alicia
20 Silverstone on his website.

21 262. Denies the allegations contained in paragraph 262 of the Complaint.

22 263. Lacks knowledge or information sufficient to form a belief as to the truth
23 of the allegations contained in paragraph 263 of the Complaint, and, on that basis, denies
24 them.

25 264. Lacks knowledge or information sufficient to form a belief as to the truth
26 of the allegations contained in paragraph 264 of the Complaint, and, on that basis denies
27 them.

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1 265. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 265 of the Complaint, and, on that basis denies
3 them.

4 266. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 266 of the Complaint, and, on that basis denies
6 them.

7 267. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 267 of the Complaint, and, on that basis denies
9 them.

10 268. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 268 of the Complaint, and, on that basis denies
12 them.

13 269. Lacks knowledge or information sufficient to form a belief as to the truth
14 of the allegations contained in paragraph 269 of the Complaint, and, on that basis denies
15 them.

16 270. Denies the allegations contained in paragraph 270 of the Complaint.

17 271. Denies the allegations contained in paragraph 271 of the Complaint.

18 272. Denies the allegations contained in paragraph 272 of the Complaint.

19 273. Defendant repeats and realleges each and every response to paragraphs 1
20 through 272 hereof as if fully set forth herein.

21 274. Lacks knowledge or information sufficient to form a belief as to the truth
22 of the allegations contained in paragraph 274 of the Complaint, and, on that basis denies
23 them.

24 275. Lacks knowledge or information sufficient to form a belief as to the truth
25 of the allegations contained in paragraph 275 of the Complaint, and, on that basis denies
26 them.

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1 276. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 276 of the Complaint, and, on that basis denies
3 them.

4 277. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 277 of the Complaint, and, on that basis denies
6 them.

7 278. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 278 of the Complaint, and, on that basis denies
9 them.

10 279. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 279 of the Complaint, and, on that basis denies
12 them.

13 280. Denies the allegations contained in paragraph 280 of the Complaint except
14 admits that he operates a news reporting website that, among other things, provides
15 satirical commentary on current celebrity-related news, and that Defendant may have
16 posted images of Kate Bosworth, Lindsay Lohan, Victoria Beckham, and Jessica Alba
17 on his website.

18 281. Denies the allegations contained in paragraph 281 of the Complaint.

19 282. Lacks knowledge or information sufficient to form a belief as to the truth
20 of the allegations contained in paragraph 282 of the Complaint, and, on that basis, denies
21 them.

22 283. Lacks knowledge or information sufficient to form a belief as to the truth
23 of the allegations contained in paragraph 283 of the Complaint, and, on that basis denies
24 them.

25 284. Lacks knowledge or information sufficient to form a belief as to the truth
26 of the allegations contained in paragraph 284 of the Complaint, and, on that basis denies
27 them.

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1 285. Lacks knowledge or information sufficient to form a belief as to the truth
2 of the allegations contained in paragraph 285 of the Complaint, and, on that basis denies
3 them.

4 286. Lacks knowledge or information sufficient to form a belief as to the truth
5 of the allegations contained in paragraph 286 of the Complaint, and, on that basis denies
6 them.

7 287. Lacks knowledge or information sufficient to form a belief as to the truth
8 of the allegations contained in paragraph 287 of the Complaint, and, on that basis denies
9 them.

10 288. Lacks knowledge or information sufficient to form a belief as to the truth
11 of the allegations contained in paragraph 288 of the Complaint, and, on that basis denies
12 them.

13 289. Denies the allegations contained in paragraph 289 of the Complaint.

14 290. Denies the allegations contained in paragraph 290 of the Complaint.

15 291. Denies the allegations contained in paragraph 291 of the Complaint.

16 292. Defendant repeats and realleges each and every response to paragraphs 1
17 through 291 hereof as if fully set forth herein.

18 293. Denies the allegations contained in paragraph 293 of the Complaint.

19 294. Denies the allegations contained in paragraph 294 of the Complaint.

20 295. Denies the allegations contained in paragraph 295 of the Complaint.

21 296. Denies the allegations contained in paragraph 296 of the Complaint.

22 297. Defendant repeats and realleges each and every response to paragraphs 1
23 through 296 hereof as if fully set forth herein.

24 298. Denies the allegations contained in paragraph 298 of the Complaint.

25 299. Denies the allegations contained in paragraph 299 of the Complaint.

26 300. Denies the allegations contained in paragraph 300 of the Complaint.

27 301. Denies the allegations contained in paragraph 301 of the Complaint.

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1 302. Defendant repeats and realleges each and every response to paragraphs 1
2 through 301 hereof as if fully set forth herein.

3 303. Denies the allegations contained in paragraph 303 of the Complaint.

4 304. Denies the allegations contained in paragraph 304 of the Complaint.

5 305. Denies the allegations contained in paragraph 305 of the Complaint.

6 306. Denies the allegations contained in paragraph 306 of the Complaint.

7 307. Defendant repeats and realleges each and every response to paragraphs 1
8 through 306 hereof as if fully set forth herein.

9 308. Denies the allegations contained in paragraph 308 of the Complaint.

10 309. Denies the allegations contained in paragraph 309 of the Complaint.

11 310. Denies the allegations contained in paragraph 310 of the Complaint.

12 311. Denies the allegations contained in paragraph 311 of the Complaint.

13 312. Defendant repeats and realleges each and every response to paragraphs 1
14 through 311 hereof as if fully set forth herein.

15 313. Denies the allegations contained in paragraph 313 of the Complaint.

16 314. Denies the allegations contained in paragraph 314 of the Complaint.

17 315. Denies the allegations contained in paragraph 315 of the Complaint.

18 316. Denies the allegations contained in paragraph 316 of the Complaint.

19 317. Defendant repeats and realleges each and every response to paragraphs 1
20 through 316 hereof as if fully set forth herein.

21 318. Denies the allegations contained in paragraph 318 of the Complaint.

22 319. Denies the allegations contained in paragraph 319 of the Complaint.

23 320. Denies the allegations contained in paragraph 320 of the Complaint.

24 321. Denies the allegations contained in paragraph 321 of the Complaint.

25 322. Defendant repeats and realleges each and every response to paragraphs 1
26 through 321 hereof as if fully set forth herein.

27 323. Denies the allegations contained in paragraph 323 of the Complaint.

28 324. Denies the allegations contained in paragraph 324 of the Complaint.

1 325. Denies the allegations contained in paragraph 325 of the Complaint.

2 326. Denies the allegations contained in paragraph 326 of the Complaint.

3 327. Defendant repeats and realleges each and every response to paragraphs 1
4 through 326 hereof as if fully set forth herein.

5 328. Denies the allegations contained in paragraph 328 of the Complaint.

6 329. Denies the allegations contained in paragraph 329 of the Complaint.

7 330. Denies the allegations contained in paragraph 330 of the Complaint.

8 331. Denies the allegations contained in paragraph 331 of the Complaint.

9 332. Defendant repeats and realleges each and every response to paragraphs 1
10 through 331 hereof as if fully set forth herein.

11 333. Denies the allegations contained in paragraph 333 of the Complaint.

12 334. Denies the allegations contained in paragraph 334 of the Complaint.

13 335. Denies the allegations contained in paragraph 335 of the Complaint.

14 336. Denies the allegations contained in paragraph 336 of the Complaint.

15 337. Defendant repeats and realleges each and every response to paragraphs 1
16 through 336 hereof as if fully set forth herein.

17 338. Denies the allegations contained in paragraph 338 of the Complaint.

18 339. Denies the allegations contained in paragraph 339 of the Complaint.

19 340. Denies the allegations contained in paragraph 340 of the Complaint.

20 341. Denies the allegations contained in paragraph 341 of the Complaint.

21 342. Defendant repeats and realleges each and every response to paragraphs 1
22 through 341 hereof as if fully set forth herein.

23 343. Denies the allegations contained in paragraph 343 of the Complaint.

24 344. Denies the allegations contained in paragraph 344 of the Complaint.

25 345. Denies the allegations contained in paragraph 345 of the Complaint.

26 346. Denies the allegations contained in paragraph 346 of the Complaint.

27 347. Defendant repeats and realleges each and every response to paragraphs 1
28 through 346 hereof as if fully set forth herein.

- 1 348. Denies the allegations contained in paragraph 348 of the Complaint.
- 2 349. Denies the allegations contained in paragraph 349 of the Complaint.
- 3 350. Denies the allegations contained in paragraph 350 of the Complaint.
- 4 351. Denies the allegations contained in paragraph 351 of the Complaint.
- 5 352. Defendant repeats and realleges each and every response to paragraphs 1
- 6 through 351 hereof as if fully set forth herein.
- 7 353. Denies the allegations contained in paragraph 353 of the Complaint.
- 8 354. Denies the allegations contained in paragraph 354 of the Complaint.
- 9 355. Denies the allegations contained in paragraph 355 of the Complaint.
- 10 356. Denies the allegations contained in paragraph 356 of the Complaint.
- 11 357. Denies the allegations contained in paragraph 357 of the Complaint.
- 12 358. Denies the allegations contained in paragraph 358 of the Complaint.
- 13 359. Denies the allegations contained in paragraph 359 of the Complaint.

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AFFIRMATIVE DEFENSES

16 360. Defendant has alleged defenses as set forth below to avoid the necessity
17 of needing to amend the Answer. Defendant recognizes that depending upon the
18 development of the Complaint, some of the defenses may ultimately not be
19 applicable. By such pleading, Defendant also intends no alteration of the burden of
20 proof and/or burden of going forward with the evidence that otherwise exists with
21 respect to any particular issue at law or in equity. Furthermore, all defenses are
22 pleaded in the alternative, and do not constitute an admission of liability or as to
23 whether Plaintiff is entitled to any relief whatsoever.

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FIRST AFFIRMATIVE DEFENSE

26 361. The Complaint fails to state a claim upon which relief may be granted.
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SECOND AFFIRMATIVE DEFENSE

362. Defendant's alleged conduct constitutes fair use.

THIRD AFFIRMATIVE DEFENSE

363. Plaintiffs lack standing to pursue its purported claims.

FOURTH AFFIRMATIVE DEFENSE

364. Defendant was authorized to engage in the allegedly conduct at issue.

FIFTH AFFIRMATIVE DEFENSE

365. Plaintiffs have unclean hands.

SIXTH AFFIRMATIVE DEFENSE

366. Plaintiffs' alleged copyright registrations are invalid.

SEVENTH AFFIRMATIVE DEFENSE

367. Plaintiffs' claims are barred by the statute of limitations.

EIGHTH AFFIRMATIVE DEFENSE

368. Plaintiffs' claims are barred by the doctrine of laches.

NINTH AFFIRMATIVE DEFENSE

369. Plaintiffs' claims are barred by the doctrine of waiver.

TENTH AFFIRMATIVE DEFENSE

370. Plaintiffs' claims are barred by the doctrine of equitable estoppel.

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ELEVENTH AFFIRMATIVE DEFENSE

371. Plaintiffs' damages or injury, if any, are the sole and direct result of forces, acts and omissions of Plaintiffs or third parties independent of Defendant.

TWELFTH AFFIRMATIVE DEFENSE

372. Assuming, arguendo, that Plaintiffs have any protectible rights with respect to the photographs at issue, such rights were either expressly and/or impliedly licensed by Plaintiffs and/or other parties to Defendant.

THIRTEENTH AFFIRMATIVE DEFENSE

373. Assuming, arguendo, that Plaintiffs have any protectible rights with respect to the photographs at issue, such rights were transferred to or owned from inception by Defendant.

FOURTEENTH AFFIRMATIVE DEFENSE

374. The Complaint fails to demonstrate any entitlement to the remedy of injunctive relief because it fails to state Complaints sufficient to show continuing acts, the threat of irreparable harm or a reasonable likelihood of repetition of the alleged conduct if it were in Complaint established to be wrongful.

FIFTEENTH AFFIRMATIVE DEFENSE

375. Plaintiffs are barred from recovering on the allegations of the Complaint, in whole or in part, because Defendant's conduct was justified or privileged.

SIXTEENTH AFFIRMATIVE DEFENSE

376. Plaintiffs are barred from recovering for declaratory and injunctive relief on the allegations of the Complaint because Plaintiffs have an adequate remedy at law.

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SEVENTEENTH AFFIRMATIVE DEFENSE

377. Plaintiffs have no ownership rights to the copyrighted works.

EIGHTEENTH AFFIRMATIVE DEFENSE

378. To the extent the Court determines that Defendant did engage in any of the purported acts alleged by Plaintiffs in the Complaint, Defendant, before taking such action, in good faith sought the advice of an attorney whom he considered to be competent for the purpose of securing advice on the lawfulness of his possible future conduct and made a full and accurate report to his attorney of all material facts which Defendant knew, and acted strictly in accordance with the advice of his attorney who had been given a full report.

NINETEENTH AFFIRMATIVE DEFENSE

379. Defendant alleges that he may have additional defenses or claims available to him of which he is not now aware. Defendant reserves the right to assert additional defenses or cross-claims, counterclaims, or third-party claims as may be revealed to be appropriate through discovery or otherwise.

WHEREFORE, Defendant demands judgment against Plaintiffs as follows:

1. Dismissing the Complaint with prejudice;
2. Declaring that Plaintiffs have no lawful ownership interest in the photographs at issue, nor in the copyrights therein or that Defendant’s transformative use of the purportedly copyrighted photographs constitutes fair use; and

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1 3. Granting such other and further relief as this Court deems just and proper,
2 including awarding Defendant the costs, interest and attorneys fees incurred by it in
3 the defense of this action.

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5 Dated: April 3, 2008

FREEDMAN & TAITELMAN LLP
DOLL AMIR & ELEY LLP

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8 By: 

Bryan J. Freedman, Esq.
Attorneys for Defendant
MARIO LAVANDEIRA dba
Perez Hilton

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DEMAND FOR JURY TRIAL

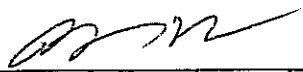
Defendant respectfully demands trial by jury.

Dated: April 3, 2008

FREEDMAN & TAITELMAN LLP

DOLL AMIR & ELEY LLP

By:



Bryan J. Freedman, Esq.
Attorneys for Defendant
MARIO LAVANDEIRA dba Perez
Hilton

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