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15 *Attorneys for Defendant John Wayne Lewandowski*

16 **IN THE UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 MARIO LAVANDEIRA, dba PEREZ
19 HILTON,
20 Plaintiff,

21 v.

22 JONATHAN WAYNE LEWANDOWSKI, ET
23 AL.,
24 Defendants.

25 Case No.: CV-08-3074-GHK

26 JUDGE GEORGE H. KING

27 **ANSWER OF DEFENDANT JOHN**
28 **LEWANDOWSKI TO PLAINTIFF'S**
FIRST AMENDED COMPLAINT

(JURY DEMAND ENDORSED HEREON)

29 For his Answer to Plaintiff's First Amended Complaint, Defendant Jonathan Wayne
30 Lewandowski, aka Jonathan Jaxson, aka Jonathan Taylor states for his answer to Plaintiff's
31 Complaint:

32 **INTRODUCTION**

33 1. Lewandowski denies the allegations set forth in Paragraph 1 of Plaintiff's
34 Complaint.

FIRST CAUSE OF ACTION
(For libel against all Defendants)

11. Lewandowski reasserts and realleges his answers and responses to Paragraphs 1-10 of Plaintiff's Complaint as if herein fully restated.

12. Lewandowski denies the allegations set forth in Paragraph 12 of Plaintiff's Complaint and states in response to each subparagraph of Paragraph 12 as follows:

a. Lewandowski admits to stating his opinion that Plaintiff had "used" him. Lewandowski denies the remaining allegations set forth in Paragraph 12(a) of Plaintiff's Complaint.

b. Lewandowski admits that he sent videos of himself to Plaintiff. Lewandowski denies the remaining allegations set forth in Paragraph 12(b) of Plaintiff's Complaint.

c. Lewandowski admits to stating his opinion that Plaintiff had "used" him. Lewandowski denies the remaining allegations set forth in Paragraph 12(c) of Plaintiff's Complaint.

d. Lewandowski admits that he sent tapes and/or photographs of himself to Plaintiff. Lewandowski denies the remaining allegations set forth in Paragraph 12(d) of Plaintiff's Complaint.

e. Lewandowski admits to stating his opinion that Plaintiff had "manipulated" him. Lewandowski denies the remaining allegations set forth in Paragraph 12(e) of Plaintiff's Complaint.

f. Lewandowski admits stating the opinion set forth in Paragraph 12(f) of Plaintiff's Complaint. Lewandowski denies the remaining allegations set forth in Paragraph 12(f) of Plaintiff's Complaint.

1 g. Lewandowski admits stating the opinion set forth in Paragraph 12(g) of
2 Plaintiff's Complaint. Lewandowski denies the remaining allegations set forth in
3 Paragraph 12(g) of Plaintiff's Complaint.
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5 13. Lewandowski denies the allegations set forth in Paragraph 13 of Plaintiff's
6 Complaint.

7 14. Lewandowski denies the allegations set forth in Paragraph 14 of Plaintiff's
8 Complaint.

9 15. Lewandowski is without knowledge or information sufficient to form a belief as
10 to the allegations set forth in Paragraph 15 of Plaintiff's Complaint.
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12 16. Lewandowski denies the allegations set forth in Paragraph 16 of Plaintiff's
13 Complaint.

14 17. Lewandowski denies the allegations set forth in Paragraph 17 of Plaintiff's
15 Complaint.
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17 18. Lewandowski denies the allegations set forth in Paragraph 18 of Plaintiff's
18 Complaint.

19 **SECOND CAUSE OF ACTION**
20 **(For slander against all Defendants)**

21 19. Lewandowski reasserts and realleges his answers and responses to Paragraphs 1-
22 18 of Plaintiff's Complaint as if herein fully restated.

23 20. Lewandowski denies the allegations set forth in Paragraph 20 of Plaintiff's
24 Complaint.
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26 21. Lewandowski denies the allegations set forth in Paragraph 21 of Plaintiff's
27 Complaint.
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1 of Plaintiff's Complaint. Lewandowski denies the remaining allegations set forth in Paragraph
2 40 of Plaintiff's Complaint.

3 41. Lewandowski denies the allegations set forth in Paragraph 41 of Plaintiff's
4 Complaint.
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6 42. Lewandowski denies the allegations set forth in Paragraph 42 of Plaintiff's
7 Complaint.
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9 **FIFTH CAUSE OF ACTION**
(For invasion of privacy – public disclosure of private facts against all Defendants)

10 43. Lewandowski reasserts and realleges his answers and responses to Paragraphs 1-
11 42 of Plaintiff's Complaint as if herein fully restated.
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13 44. Lewandowski denies the allegations set forth in Paragraph 44 of Plaintiff's
14 Complaint.
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16 45. Lewandowski denies the allegations set forth in Paragraph 45 of Plaintiff's
17 Complaint.
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19 46. Lewandowski denies the allegations set forth in Paragraph 46 of Plaintiff's
20 Complaint.
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22 47. Lewandowski denies the allegations set forth in Paragraph 47 of Plaintiff's
23 Complaint.
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25 48. Lewandowski is without knowledge or information sufficient to form a belief as
26 to how Plaintiff uses, and/or to what use Plaintiff puts, his cell phone as set forth in Paragraph 48
27 of Plaintiff's Complaint. Lewandowski denies the remaining allegations set forth in Paragraph
28 48 of Plaintiff's Complaint.

49. Lewandowski denies the allegations set forth in Paragraph 49 of Plaintiff's
Complaint.

SEVENTH CAUSE OF ACTION
(For intentional infliction of emotional distress against all Defendants)

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3 58. Lewandowski reasserts and realleges his answers and responses to Paragraphs 1-
4 57 of Plaintiff's Complaint as if herein fully restated.

5 59. Lewandowski denies the allegations set forth in Paragraph 59 of Plaintiff's
6 Complaint.

7 60. Lewandowski denies the allegations set forth in Paragraph 60 of Plaintiff's
8 Complaint.

9 61. Lewandowski is without knowledge or information sufficient to form a belief as
10 to how Plaintiff uses, and/or to what use Plaintiff puts, his cell phone as set forth in Paragraph 61
11 of Plaintiff's Complaint. Lewandowski denies the remaining allegations set forth in Paragraph
12 61 of Plaintiff's Complaint.

13 62. Lewandowski denies the allegations set forth in Paragraph 62 of Plaintiff's
14 Complaint.

15 63. Lewandowski is without knowledge or information sufficient to form a belief as
16 to how Plaintiff uses, and/or to what use Plaintiff puts, his cell phone as set forth in Paragraph 63
17 of Plaintiff's Complaint. Lewandowski denies the remaining allegations set forth in Paragraph
18 63 of Plaintiff's Complaint.

19 64. Lewandowski denies the allegations set forth in Paragraph 64 of Plaintiff's
20 Complaint.

21 65. Lewandowski denies any allegations contained in the Prayer for Relief following
22 Paragraph 65 of Plaintiff's Complaint.
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1 **TWENTIETH AFFIRMATIVE DEFENSE**

2 20. Defendant respectfully reserves the right to amend his Answer to add such
3 additional affirmative defenses, cross-claims, counterclaims, and/or third-party complaints as
4 may be disclosed during the course of the captioned matter.
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6 Respectfully submitted,

7 */s/ John M. Heffernan*

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23 *Counsel for Defendant John Lewandowski*
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1 **JURY DEMAND**

2 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Defendant demands a trial
3 by jury on all issues so triable of right by a jury.
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6 */s/ John M. Heffernan*
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8 *One of the Attorneys for Defendant*
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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that a copy of the foregoing was served, via the Court's
3 electronic filing system on June 2, 2008. Notice of this filing will be sent to all Parties by
4 operation of the Court's electronic filing system. Parties may access this filing through the
5 Court's system.
6

7 */s/ John M. Heffernan*
8 _____
9 *One of the Attorneys for the Defendant*