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5 *Attorney for Plaintiff*  
*AF Holdings, L.L.C.*

6  
7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE DISTRICT OF ARIZONA**

9  
10 AF HOLDINGS, L.L.C., a St. Kitts and Nevis  
limited liability company,

11 Plaintiff,  
12 v.

13 DAVID HARRIS,  
14 Defendant.

**CASE NO.: 2:12-CV-02144-PHX-GMS**

**PLAINTIFF'S ANSWER TO  
DEFENDANT'S COUNTERCLAIM**

15  
16 Plaintiff AF Holdings, L.L.C. ("Plaintiff"), through its undersigned counsel, as its Answer to  
17 Defendant David Harris' ("Defendant") Counterclaim, states as follows:

18 1. Plaintiff admits that it is a foreign corporation, but denies the remaining allegations  
19 contained in Paragraph 1 of Defendant's Counterclaims.

20 2. Plaintiff admits that Plaintiff's attorney of record filed and served Plaintiff's  
21 Complaint upon the Defendant, but denies the remaining allegations contained in Paragraph 2 of  
22 Defendant's Counterclaim.

23 3. Plaintiff denies the allegations contained in Paragraph 3 of Defendant's  
24 Counterclaim.

1 4. Plaintiff denies the allegations contained in Paragraph 4 of Defendant's  
2 Counterclaim.

3 5. Plaintiff lacks information sufficient to admit or deny the content of Defendant's  
4 allegations contained in Paragraph 5 of the Counterclaim, and therefore denies the same.

5 6. Plaintiff denies the allegations contained in Paragraph 6 of Defendant's  
6 Counterclaim.

7 **COUNT 1: MALICIOUS PROSECUTION**

8 7. Plaintiff denies the allegations contained in Paragraph 7 of Defendant's  
9 Counterclaim.

10 8. Paragraph 8 of Defendant's Counterclaim contains legal conclusions which Plaintiff  
11 is not required to admit or deny. To the extent that the allegations contained in Paragraph 8 require  
12 an admission or denial, Plaintiff hereby denies the same.

13 **COUNT II: ARIZONA CONSTITUTION Article II §8**

14 9. Plaintiff admits that it filed the instant case, but denies the remaining allegations  
15 contained in Paragraph 9 of Defendant's Counterclaim.

16 10. Plaintiff denies the allegations contained in Paragraph 10 of Defendant's  
17 Counterclaim.

18 **COUNT III: DEFAMATION**

19 11. Plaintiff denies the allegations contained in Paragraph 11 of Defendant's  
20 Counterclaim.

21 **COUNT IV: INFLECTION OF EMOTIONAL DISTRESS**

22 12. Plaintiff denies the allegations contained in Paragraph 12 of Defendants  
23 Counterclaim.

24

1 13. Any allegation set forth in Defendant's Counterclaim not specifically admitted or  
2 denied herein, is hereby denied.

3 **AFFIRMATIVE DEFENSES**

4 Plaintiff preliminarily advances the following Affirmative Defenses:

5 1. Plaintiff states that Defendant's Counterclaim fails to state a claim upon which relief  
6 can be granted.

7 2. Plaintiff states that the Defendant has failed to mitigate its damages, if any, as  
8 required by law.

9 3. Plaintiff states that Defendant's claims are barred by virtue of the fact that it has  
10 failed to join an indispensable party or parties.

11 4. Plaintiff states that Defendant's claims are barred by the applicable Statute of  
12 Limitations.

13 5. Plaintiff states that Defendant's claims, as, set forth in its Counterclaim, constitutes  
14 harassment, are groundless, frivolous and are not made in good faith entitling it to sanctions against  
15 Defendant, attorney fees and costs.

16 6. Plaintiff also alleges that additional facts may be learned through additional discovery  
17 which support defenses presently available to, but unknown by, Plaintiff. Plaintiff therefore reserves  
18 the right to amend this Answer and incorporates by reference any affirmative defense set forth in  
19 Rules 8 and 12, Federal Rules of Civil Procedure, or under other applicable law.

20 WHEREFORE, having answered Defendant's Counterclaim, Plaintiff herein prays  
21 for relief as follows:

22 A. That the Court enter judgment in Plaintiff's favor, with prejudice and on the merits;

23 B. That Defendant take nothing by his claims;

24 C. That Plaintiff be awarded its costs and attorneys' fees incurred in responding to the

1 Defendant's Counterclaim; and

2 D. That the Court grant Plaintiff such other and further relief as is deemed just and  
3 proper.

4 Dated this 21<sup>st</sup> day of November, 2012

5 Law Offices of Steven James Goodhue

6  
7 By: /s/ Steven James Goodhue

8 Steven James Goodhue (#029288)

9 9375 East Shea Blvd., Suite 100

10 Scottsdale, AZ 85260

11 *Attorney for Plaintiff*

12 *AF Holdings, L.L.C.*

13 I hereby certify that on November 21, 2012, I electronically filed the foregoing with the Clerk of  
14 the Court for filing and uploading to the CM-ECF system which will send notifications of such filing to  
15 all parties of record.

16 **A COPY** of the foregoing was mailed (or  
17 served via electronic notification if indicated by  
18 an “\*”) on November 21, 2012, to:

19 David Harris\* (troll.assassins@cyber-wizards.com)

20 4632 East Caballero Street, #1

21 Mesa Arizona 85205

22 /s/ Steven James Goodhue