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8 Taylor R. Briggs (P.C.), Donald J. Greene,
9 Donald J. Greene (P.C.), Dean Hansell,
10 Jeffrey H. Mace, Sheila H. Marshall, Sheila
11 H. Marshall (P.C.), Linda A. Sciuto and
12 Cynthia R. Shoss

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF LOS ANGELES

14 DAVID WEST, DEBORAH WEST and) CASE NO. BC 133 060
15 SUSAN WEST,)
16 Plaintiffs,) DEFENDANTS' ANSWER TO
17 v.) PLAINTIFFS' FIRST AMENDED
18 LeBOEUF, LAMB, GREENE & MacRAE,) COMPLAINT
19 L.L.P., TAYLOR R. BRIGGS, TAYLOR)
20 R. BRIGGS (P.C.), DONALD J. GREENE,) HANSELL, JEFFREY H. MACE, SHEILA)
21 DONALD J. GREENE (P.C.), DEAN) H. MARSHALL, SHEILA H. MARSHALL)
22 (P.C.), LINDA A. SCIUTO, CYNTHIA R.)
23 SHOSS and DOES 11 through 99, inclusive,) Defendants.)

25 TO PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:

26 DEFENDANTS LeBOEUF, LAMB, GREENE & MacRAE, L.L.P.,
27 TAYLOR R. BRIGGS, TAYLOR R. BRIGGS (P.C.), DONALD J. GREENE, DONALD J.
28 GREENE (P.C.), DEAN HANSELL, JEFFREY H. MACE, SHEILA H. MARSHALL,

1 SHEILA H. MARSHALL (P.C.), LINDA A. SCIUTO, CYNTHIA R. SHOSS
2 ("Defendants"), hereby answer the unverified First Amended Complaint of plaintiffs, as
3 follows:

4 Pursuant to Section 431.30(d) of the California Code of Civil Procedure,
5 Defendants deny generally and specifically each and all of the allegations contained in
6 plaintiffs' First Amended Complaint, and further deny that plaintiffs have suffered any harm
7 or damages in any sum, or sums, or at all.

8 AFFIRMATIVE DEFENSES

9 FIRST SEPARATE AND AFFIRMATIVE DEFENSE

10 (Failure to State a Cause of Action)

11 1. As a first and separate affirmative defense to the First Amended
12 Complaint, and to each cause of action alleged therein, Defendants allege that the First
13 Amended Complaint fails to state facts sufficient to constitute a cause of action upon which
14 relief may be granted.

15 SECOND SEPARATE AND AFFIRMATIVE DEFENSE

16 (Collateral Estoppel)

17 2. As a second and separate affirmative defense to the First Amended
18 Complaint, and to each cause of action alleged therein, Defendants allege that plaintiffs are
19 barred under the doctrine of collateral estoppel from recovering any relief by virtue of their
20 own acts, conduct and statements, upon which Defendants have relied to their prejudice and
21 detriment.

22 THIRD SEPARATE AND AFFIRMATIVE DEFENSE

23 (Lack of Damages)

24 3. As a third and separate affirmative defense to the First Amended
25 Complaint, and to each cause of action alleged therein, Defendants allege that plaintiffs have
26 suffered no damages as a result of any act or omission by Defendants and therefore plaintiffs
27 are barred from asserting any causes of action against Defendants.

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1 claims and each of them are barred by the applicable statutes of limitations including but not
2 limited to the provisions of:

- 3 a. Section 338 of the Code of Civil Procedure;
4 b. Section 340 of the Code of Civil Procedure;
5 c. Section 340.6 of the Code of Civil Procedure;
6 d. Section 1783 of the Consumers' Legal Remedies Act;
7 e. Section 17208 of the Business and Professions Code;

8 PRAYER

9 WHEREFORE, Defendants pray for relief as follows:

- 10 1. Plaintiffs take nothing by their First Amended Complaint;
11 2. For costs of suit incurred herein and for fees, including attorneys' fees;

12 and

- 13 3. For such other and additional relief as the Court may deem just and

14 proper.

15 DATED: August 9, 1996

FOLEY LARDNER WEISSBURG & ARONSON
PETER ARONSON
LEILA NOURANI

17
18 By: 

LEILA NOURANI

19 *Attorneys for Defendants LeBoeuf, Lamb, Greene*
20 *& MacRae, L.L.P., Taylor R. Briggs, Taylor R.*
21 *Briggs (P.C.), Donald J. Greene, Donald J.*
22 *Greene (P.C.), Dean Hansell, Jeffrey H. Mace,*
23 *Sheila H. Marshall, Sheila H. Marshall (P.C.),*
24 *Linda A. Sciuto and Cynthia R. Shoss*