

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT INDIANA**

MALIBU MEDIA, LLC,)	
Plaintiff,)	
)	
v.)	
)	Case No. 1:12-cv-00845-TWP-MJD
)	
ANDREW LEIGHTNER, KEVIN DEMPSEY,)	
KENNETH REESE, CARL RUDY, LUCAS)	
SHULTZ, LUCIAN SAVULESCU, DAN)	
COROIAN, JIM GENDRON, JEREMY)	
COTTON, NEVILLE FERNANDES, DANIEL)	
PITTMAN, JAY GARRETT, JERRY RICHEY)	
CONNIE FELONGCO, TERESA)	
STEPHENSON, KIRAN POULSEN, CHRIS)	
MINOR, SIWEI LI, DERICK BROOKS,)	
CLARISSA HENDERSHOT, and)	
JOHN DOES 2, 14, 16, 17, 20, 23, 24 and 29,)	
)	
Defendants.)	

**DEFENDANT’S RESPONSE TO PLAINTIFF’S
MOTION TO STRIKE AFFIRMATIVE DEFENSES**

Defendant, **Teresa Stephenson** (“Defendant”), hereby responds to Plaintiff Malibu Media’s Motion to Strike.

1. Defendant does not oppose the striking of the affirmative defenses, but reserves the right to file an amended pleading reasserting one or more affirmative defenses based on the development of the facts.
2. In ruling on Plaintiff’s motion, Defendant requests that the court expressly acknowledge that the striking of affirmative defenses be *without prejudice* for Defendant to move for leave to reassert the defenses. While discovery has not yet opened in the present case, publicly available information about Plaintiff reveals that its claims are highly suspect. Plaintiff has filed about 400 lawsuits against over 6,000

defendants. It claims to be the “author” of pornographic movies made prior to 2011, even though Plaintiff was not formed until February 8, 2011 according to the California Secretary of State. In addition, it appears that Plaintiff’s “business” is to put, or have put, its own pornographic movies on the Internet, and then to monitor the Internet for IP addresses to see who accesses those files. Under these circumstances, many affirmative defenses are available to the Defendant.

Respectfully submitted,

Overhauser Law Offices, LLC

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing is being filed electronically, and notice hereof will automatically be sent to all counsel of record that participate in electronic filing, by operation of the Court’s electronic filing system. Parties may access this filing through the Court’s system.

By: s/ Paul B. Overhauser
Paul B. Overhauser