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8 Attorney for Defendant KYAW AUNG

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 LIBERTY MEDIA HOLDINGS LLC,
12
13 Plaintiff,
14 v.
15 JOHN DOE and KYAW AUNG,
16 Defendants.

Case No. CV 12-3428 RGK (FMOx)

Hon. R. Gary Klausner

**DEFENDANT KYAW AUNG'S
ANSWER TO COMPLAINT**

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18 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

19 COMES NOW Defendant KYAW AUNG and, answering Plaintiff's
20 Complaint for himself and for no other Defendant, admits, denies, and alleges as
21 follows:

22 1. Answering Paragraph 1 of the Complaint, Defendant Aung does not
23 have sufficient information or belief to enable him to answer said Paragraph
24 and, on that ground, denies each and every allegation within.

25 2. Answering Paragraphs 2 through 4 of the Complaint, Defendant
26 Aung denies generally and specifically each and every allegation within.

27 3. Answering Paragraphs 5 through 8 of the Complaint, Defendant
28

1 Aung admits that the Court has subject matter jurisdiction over claims for
2 copyright infringement and that he resided in the District at all applicable times.

3 As to the remainder of the allegations stated in these Paragraphs, Defendant
4 Aung denies generally and specifically each and every allegation within.

5 4. Answering Paragraph 9 of the Complaint, Defendant Aung does not
6 have sufficient information or belief to enable him to answer said Paragraph
7 and, on that ground, denies each and every allegation within.

8 5. Answering Paragraph 10 of the Complaint, Defendant Aung denies
9 generally and specifically each and every allegation within.

10 6. Answering Paragraph 11 of the Complaint, Defendant Aung does
11 not have sufficient information or belief to enable him to answer said Paragraph
12 and, on that ground, denies each and every allegation within.

13 7. Answering Paragraphs 12 and 13 of the Complaint, Defendant
14 Aung denies generally and specifically each and every allegation within.

15 8. Answering Paragraph 14 of the Complaint, Defendant Aung does
16 not have sufficient information or belief to enable him to answer said Paragraph
17 and, on that ground, denies each and every allegation within.

18 9. Answering Paragraph 15 and 16 of the Complaint, Defendant Aung
19 denies generally and specifically each and every allegation within.

20 10. Answering Paragraphs 17 through 32 of the Complaint, Defendant
21 Aung does not have sufficient information or belief to enable him to answer said
22 Paragraphs and, on that ground, denies each and every allegation within.

23 11. Answering Paragraph 33 of the Complaint, Defendant Aung denies
24 generally and specifically each and every allegation within.

25 12. Answering Paragraphs 34 through 35 of the Complaint, Defendant
26 Aung does not have sufficient information or belief to enable him to answer said
27 Paragraphs and, on that ground, denies each and every allegation within.

28 13. Answering Paragraphs 36 through 39 of the Complaint, Defendant

1 Aung denies generally and specifically each and every allegation within.

2 14. Answering Paragraph 40 of the Complaint, Defendant Aung does
3 not have sufficient information or belief to enable him to answer said Paragraph
4 and, on that ground, denies each and every allegation within.

5 15. Answering Paragraphs 41 through 45 of the Complaint, Defendant
6 Aung denies generally and specifically each and every allegation within.

7 16. Answering Paragraphs 46 through 52 of the Complaint, Defendant
8 Aung denies generally and specifically each and every allegation within.

9 17. Answering Paragraphs 53 through 55 of the Complaint, Defendant
10 Aung does not have sufficient information or belief to enable him to answer said
11 Paragraphs and, on that ground, denies each and every allegation within.

12 18. Answering Paragraphs 56 through 57 of the Complaint, Defendant
13 Aung denies generally and specifically each and every allegation within.

14 19. Answering Paragraph 58 of the Complaint, Defendant Aung does
15 not have sufficient information or belief to enable him to answer said Paragraph
16 and, on that ground, denies each and every allegation within.

17 20. Answering Paragraphs 59 through 62 of the Complaint, Defendant
18 Aung denies generally and specifically each and every allegation within.

19 21. Answering Paragraphs 63 through 71 of the Complaint, Defendant
20 Aung denies generally and specifically each and every allegation within.

21 22. Answering any other Paragraphs omitted above, Defendant Aung
22 denies generally and specifically each and every allegation within.

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24 **FIRST AFFIRMATIVE DEFENSE**

25 23. Plaintiff's Complaint fails to state a cause of action against this
26 Defendant.

SECOND AFFIRMATIVE DEFENSE

24. Plaintiff is not entitled to injunctive or declaratory relief since the remedies at law are adequate.

THIRD AFFIRMATIVE DEFENSE

25. Plaintiff's claims are barred by the statute of limitations. Too much time elapsed between the alleged infringing activity and the filing of the herein Complaint.

FOURTH AFFIRMATIVE DEFENSE

26. Plaintiff has waived its right to sue by distributing said motion picture via torrent itself.

FIFTH AFFIRMATIVE DEFENSE

27. Plaintiff has contributed to its own damages by distributing said motion picture via torrent itself.

SIXTH AFFIRMATIVE DEFENSE

28. Plaintiff's motion picture is illegal, hence unprotected by copyright.

WHEREFORE Defendant prays that Plaintiff take nothing by way of its Complaint and that Defendant recover his costs, attorney fees, and such other and further relief as the Court may deem just and proper.

Dated: July 6, 2012

Respectfully submitted,

/s/ William Skinner
WILLIAM SKINNER (257139)
Attorney for Defendant KYAW AUNG

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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 LIBERTY MEDIA HOLDINGS LLC,

Case No. CV 12-3428 RGK (FMOx)

12
13 Plaintiff,

CERTIFICATE OF SERVICE

14 v.

15 JOHN DOE and KYAW AUNG,

16 Defendants.

17
18 I hereby certify that on July 9, 2012, I electronically filed the following
19 document(s):

20
21 DEFENDANT KYAW AUNG'S ANSWER TO COMPLAINT

22
23 with the Clerk of the Court using the CM/ECF system, which will provide
24 service of such filing(s) via Notice of Electronic Filing (NEF) to the following
25 NEF participants:
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Marc J. Randazza
Attorney for Plaintiff Liberty Media Holdings LLC
mjr@randazza.com

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed in Los Angeles, California.

Dated: July 9, 2012

/s/ William Skinner
WILLIAM SKINNER (SBN 257139)
12240 Venice Blvd, Suite 12
Los Angeles, CA 90066
(800) 659-5937