

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**MCGEORGE CAMPING CENTER, INC.,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **AFFINITY GROUP, INC., t/a RV.NET, et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**CASE NO. 3:08cv00038-HEH**

**TRIAL BY JURY DEMANDED**

**ANSWER**

Defendant James Hurdle, by counsel, as his Answer to the Complaint, states the following:

1. James Hurdle lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 1 of the Complaint.

2. James Hurdle lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 2 of the Complaint.

3. James Hurdle lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 3 of the Complaint.

4. The allegations in paragraph 4 of the Complaint are denied.

5. In response to the allegations in paragraph 5 of the Complaint, James Hurdle admits that his address is the alleged "last-known address," and that he has made comments on RV.NET.

The remaining allegations in paragraph 5 of the Complaint are denied.

6. The allegations in paragraph 6 of the Complaint are denied.

7. The allegations in paragraph 7 of the Complaint are denied.

8. The allegations in paragraph 8 of the Complaint are denied.

9. The allegations in paragraph 9 of the Complaint are denied.

10. The allegations in paragraph 10 of the Complaint are denied.

11. In response to the allegations in paragraph 11 of the Complaint, it is asserted that the alleged "Rules and Policies" are self-explanatory, and any allegations in paragraph 11 of the Complaint that are inconsistent with said "Rules and Policies" are hereby denied. The remaining allegations in paragraph 11 of the Complaint are denied.

12. In response to the allegations in paragraph 12 of the Complaint, the existence of Exhibit 1 is admitted. Further answering, the content of Exhibit 1 is self-explanatory, and any allegations in paragraph 12 of the Complaint that are inconsistent therewith are hereby denied. The remaining allegations in paragraph 12 of the Complaint are denied.

13. In response to the allegations in paragraph 13 of the Complaint, James Hurdle admits that he made comments on RV.NET, but denies that the message was published on June 6, 2006. Further answering, it is asserted that the content of such comments / message is self-explanatory, and any allegations in paragraph 13 of the Complaint that are inconsistent therewith are hereby denied. The remaining allegations in paragraph 13 of the Complaint are denied.

14. In response to the allegations in paragraph 14 of the Complaint, it is admitted that "Burpö" published a message on June 6, 2007 and that the content of such message is self-explanatory. Any allegations in paragraph 14 of the Complaint that are inconsistent therewith are hereby denied. The remaining allegations in paragraph 14 of the Complaint are denied.

15. In response to the allegations in paragraph 15 of the Complaint, it is admitted that "sumerduck8" published a message on June 6, 2007 and that the content of such message is self-explanatory. Any allegations in paragraph 15 of the Complaint that are inconsistent therewith are

hereby denied. The remaining allegations in paragraph 15 of the Complaint are denied.

16. In response to the allegations in paragraph 16 of the Complaint, the existence of Exhibit 2 is admitted. Further answering, the content of Exhibit 2 is self-explanatory, and any allegations in paragraph 16 of the Complaint that are inconsistent therewith are hereby denied. The remaining allegations in paragraph 16 of the Complaint are denied.

17. The allegations in paragraph 17 of the Complaint are denied insofar as said allegations pertain to or are directed at James Hurdle.

18. The allegations in paragraph 18 of the Complaint are denied insofar as said allegations pertain to or are directed at James Hurdle.

19. The allegations in paragraph 19 of the Complaint are denied insofar as said allegations pertain to or are directed at James Hurdle.

20. The allegations in paragraph 20 of the Complaint are denied insofar as said allegations pertain to or are directed at James Hurdle.

21. The allegations in paragraph 21 of the Complaint are denied insofar as said allegations pertain to or are directed at James Hurdle. James Hurdle lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in paragraph 21 of the Complaint, and therefore such allegations are denied.

22. The allegations in paragraph 22 of the Complaint are denied insofar as said allegations pertain to or are directed at James Hurdle. James Hurdle lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in paragraph 22 of the Complaint, and therefore such allegations are denied.

23. The allegations in paragraph 23 of the Complaint are denied insofar as said allegations

pertain to or are directed at James Hurdle. James Hurdle lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in paragraph 23 of the Complaint, and therefore such allegations are denied.

24. The allegations in paragraph 24 of the Complaint are denied insofar as said allegations pertain to or are directed at James Hurdle.

25. The allegations in paragraph 25 of the Complaint are denied.

#### COUNT I

26. In response to the allegations in paragraph 26 of the Complaint, James Hurdle repeats and realleges his responses to paragraphs 1 through 25 above as if fully set forth herein.

27. The allegations in paragraph 27 of the Complaint are denied.

28. The allegations in paragraph 28 of the Complaint are denied.

29. The allegations in paragraph 29 of the Complaint are denied.

#### COUNT II

30. In response to the allegations in paragraph 30 of the Complaint, James Hurdle repeats and realleges his responses to paragraphs 1 through 29 above as if fully set forth herein.

31. The allegations in paragraph 31 of the Complaint are denied.

32. The allegations in paragraph 32 of the Complaint are denied.

33. All allegations that have not been specifically admitted above are hereby denied.

#### **First Affirmative Defense**

Pursuant to Fed. R. Civ. P. 12(b)(6), Count I of the Complaint fails to state a claim against James Hurdle for "Defamation and Defamation Per Se," and further fails to state sufficient facts upon which the relief demanded can be granted.

### **Second Affirmative Defense**

Pursuant to Fed. R. Civ. P. 12(b)(6), Count II of the Complaint fails to state a claim against James Hurdle for "Civil Conspiracy," and further fails to state sufficient facts upon which the relief demanded can be granted.

### **Third Affirmative Defense**

All alleged statements / comments attributed to James Hurdle are matters of opinion and are not actionable.

### **Fourth Affirmative Defense**

All alleged statements / comments attributed to James Hurdle are true.

### **Fifth Affirmative Defense**

All alleged statements / comments attributed to James Hurdle are privileged.

### **Sixth Affirmative Defense**

This action may be barred, in part or in whole, by the applicable statute of limitations.

### **Seventh Affirmative Defense**

James Hurdle denies that he is liable to the plaintiff for any alleged damages or for any sum of money.

### **Eighth Affirmative Defense**

James Hurdle will rely upon all properly provable defenses to this action, and reserves his right to amend this Answer if at any time he is so advised.

WHEREFORE, James Hurdle respectfully prays that the Court enter an Order dismissing this action and awarding his costs, and for such other and further relief as the Court deems appropriate.

**TRIAL BY JURY IS DEMANDED.**

JAMES HURDLE

Date: January 22, 2008

By: /s/ Alexander S. de Witt  
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*ATTORNEYS FOR JAMES HURDLE*

**CERTIFICATE**

I hereby certify that on the 22<sup>nd</sup> day of January, 2008, I electronically filed the foregoing ANSWER with the Clerk of this Court using the CM/ECF system, which will send notification of such filing to the following filing users:

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I further certify that on this 22<sup>nd</sup> day of January, 2008, and true copy of the foregoing was mailed by first-class United States Mail, postage prepaid, to the following non-filing user:

**Jason Duncan**

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PRO SE

/s/ Alexander S. de Witt

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