

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Harrisonburg Division

RUSSELL L. EBERSOLE, )  
dba ABERDEEN ACRES PET )  
CARE CENTER )  
)  
Plaintiff, )  
)  
v. )  
)  
SHARLIN OREN, )  
)  
Defendant. )

Case No. 5:12-cv-000105

**ANSWER**

COMES NOW Defendant, Sharlin "Charlie" Oren, by counsel, and in and for her Answer to the Complaint filed herein states the following:

1. This Defendant neither admits nor denies the allegations set forth in Paragraph 1 having insufficient information or knowledge to know whether or not such facts or allegations exist or are true but where relevant and material hereto, strict proof is demanded.
2. This Defendant admits the allegations set forth in Paragraphs 2 and 3.
3. This Defendant neither admits nor denies the allegations set forth in Paragraphs 4 and 5 having insufficient information or knowledge to know whether or not such facts or allegations exist or are true, but where relevant and material hereto, strict proof is demanded. This defendant denies that the amount on controversy exceeds the sum or value of \$75,000.00 exclusive of interest and costs and demands strict proof thereof.
4. This Defendant neither admits nor denies the allegations set forth in Paragraph 6 having insufficient information or knowledge to know whether or not such facts or allegations exist

or are true, but where relevant and material hereto, strict proof is demanded.

5. This Defendant denies the allegations set forth in Paragraphs 7, 8, and 9 as pled and demands strict proof thereof.

6. This Defendant admits that portion of Paragraph 10 that Defendant is a friend of Bridget Kline-Perry, an individual residing in Loudoun County, Virginia at 14874 Cider Mill Road, Purcellville, Virginia. All remaining allegations set forth in Paragraph 10 are denied as pled and strict proof is demanded.

7. This Defendant admits the allegations set forth in Paragraph 11 and 12 but denies that such allegations are relevant and material to this lawsuit and strict proof is demanded.

8. This Defendant admits that portion of Paragraph 13 alleging that Perry is the previous owner of a dog named Zeus, which she sold as a pet to Bill and Georgie Straub, who then took Zeus to Aberdeen Acres for training. This Defendant denies all remaining allegations set forth in Paragraph 13 and demands strict proof thereof.

9. This Defendant admits the allegations set forth in Paragraph 14 but denies that the allegations are relevant to this action and strict proof is demanded.

10. This Defendant denies the allegations set forth in Paragraphs 15 and 16 as pled and demands strict proof thereof.

11. This Defendant admits the allegations set forth in Paragraph 17 and 18.

12. This Defendant neither admits nor denies the allegations set forth in Paragraph 19, 20, and 21 as pled having insufficient information or knowledge to know whether or not such facts or allegations exist or are true but where relevant and material hereto, strict proof is demanded.

13. This Defendant denies the allegations set forth in Paragraphs 22 and 23 as pled and demands strict proof thereof.

14. This Defendant admits the allegations set forth in Paragraph 24, 25 and 26.

15. This Defendant neither admits nor denies the allegations set forth in Paragraph 27 having insufficient information or knowledge to know whether or not such facts or allegations exist or are true but where relevant and material hereto, strict proof is demanded.

16. This Defendant admits the allegations set forth in Paragraph 28, 29, and 30.

17. This Defendant denies the allegations set forth in Paragraph 31, including subparts a, b, c and d, as pled and demands strict proof thereof.

18. This Defendant denies the allegations set forth in Paragraph 32, including subparts, e, f, g, and h as pled and demands strict proof thereof.

19. This Defendant denies the allegations set forth in Paragraph 33 as pled and demands strict proof thereof.

20. This Defendant neither admits nor denies the allegations set forth in Paragraphs 34, 35, 36, 37, 38, and 39 as pled having insufficient information or knowledge to know whether or not such facts or allegations exist or are true but where relevant and material hereto strict proof is demanded.

21. This Defendant denies the allegations set forth in Paragraph 40, 41, 42, and 43 as pled and demands strict proof thereof.

22. This Defendant denies the allegations set forth in Paragraph 44, including subparts a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, s, t, u, v, w, x and y as pled and demands strict proof thereof.

23. This Defendant denies the allegations set forth in Paragraphs 45, 46, 47, and 48 as pled and demands strict proof thereof.

24. This Defendant denies the allegations set forth in Paragraphs 49, 50, 51, 52, 54, 55, 56, 57, 58, 60, 61, 62, 63, 64 as pled and demands strict proof thereof.

25. This Defendant denies the allegations set forth in Paragraph 66, including subparts a, b, c and d, as pled and demands strict proof thereof.

26. This Defendant denies the allegations set forth in Paragraphs 67, 68, and 69 as pled and demand strict proof thereof.

27. This Defendant restates, reaffirms, and incorporates her previous answers to those paragraphs referenced in Paragraph 53 of Count I, as if specifically set forth herein.

28. This Defendant restates, repleads, and incorporates her previous responses to those paragraphs referenced in Paragraph 59 of Count II, as if specifically set forth herein .

29. This Defendant restates, repleads and incorporates her previous responses to those paragraphs referenced in Paragraph 65 of Count III as if specifically set forth herein.

30. By way of further Answer and Grounds of Defense to the Complaint, this Defendant states that:

- a. She denies that she committed any act or made any omission constituting negligence in this case and demands strict proof of all elements of liability, injury and damages.
- b. This Defendant denies that she committed defamation intentionally, or negligently and demands strict proof of all elements of injury, liability and damages.
- c. This Defendant denies that she violated Virginia Code 18.2-499 or 18.2-500 and demands strict proof thereof by clear and convincing evidence.
- d. This Defendant denies that she is liable to the Plaintiff in any amount or under any theory of law and demands strict proof thereof.
- e. This Defendant denies all remaining allegations set forth in the Complaint not specifically addressed above and demands strict proof thereof.
- f. This Defendant will rely upon the defenses of truth, substantial truth, contributory

negligence of Plaintiff, failure to mitigate damages, statute of limitations, failure to prove damages, qualified privilege and lack of malice and all other defenses as they become known before and during trial.

- g. This Defendant denies that she committed any act or made any omission in a willful, wanton, malicious, or intentional manner to cause injury to defendant or his business and demands strict proof thereof of all elements of liability, injury, and damages.

WHEREFORE, having fully answered, the Defendant, Sharlin "Charlie" Oren, by counsel, moves to be dismissed from this action with her costs expended in this behalf and all just other relief this court deems appropriate.

TRIAL BY JURY IS DEMANDED ON ALL ISSUES.

SHARLIN "CHARLIE" OREN  
By Counsel

        /s/          
Steven W. Bancroft, Esquire  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of October, 2012, I will electronically file the foregoing with the clerk of court using the CM/ECF system, which will send notification of such filing to the following:

Thomas H. Roberts, Esq. (VSB 26014)

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Counsel for the Plaintiff

/s/

Steven W. Bancroft