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10 Attorneys for Defendants

11 MCKINNON BROADCASTING COMPANY and STEPHEN SADLER

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF SAN DIEGO**

14 ANNA LAUREL, an individual,
15
16 Plaintiff,

17 v.

18 MCKINNON BROADCASTING CO. KUSI-
19 TV 51, a California Corporation; STEPHEN
20 SADLER, an individual; and DOES 1 through
21 25, Inclusive,
22
23 Defendants.

Case No.: 37-2023-00032123-CU-OE-CTL

**DEFENDANTS MCKINNON
BROADCASTING COMPANY AND
STEPHEN SADLER'S ANSWER TO
COMPLAINT**

Dept.: C-73

Judge: Hon. Joel R. Wohlfeil

Case Filed: July 28, 2023

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
09/07/2023 at 10:07:00 AM
Clerk of the Superior Court
By Malka Manneh, Deputy Clerk

1 Defendants McKinnon Broadcasting Company and Stephen Sadler (“Defendants”)
2 hereby answer the Complaint filed by plaintiff Anna Laurel (“Laurel”) as follows:

3 **GENERAL DENIAL**

4 Pursuant to C.C.P. § 431.30, Defendants deny Laurel’s allegations and causes of action
5 in their entirety; and, further answering the Complaint and each cause of action therein,
6 Defendants deny that Laurel was damaged or injured by reason of any act or omission to act on
7 the part of Defendants.

8 **AFFIRMATIVE DEFENSES**

9 Defendants plead the following affirmative defenses to the Complaint.

10 **FIRST AFFIRMATIVE DEFENSE**

11 **(FAILURE TO STATE A CLAIM)**

12 Laurel’s causes of action are barred in whole or in part by Laurel’s failure to state facts
13 sufficient to state a cause of action.

14 **SECOND AFFIRMATIVE DEFENSE**

15 **(CONSENT)**

16 Laurel’s causes of action are barred in whole or in part due to Laurel having consented
17 to the conduct alleged.

18 **THIRD AFFIRMATIVE DEFENSE**

19 **(WAIVER)**

20 Laurel’s causes of action are barred in whole or in part by the doctrine of waiver.

21 **FOURTH AFFIRMATIVE DEFENSE**

22 **(UNCLEAN HANDS)**

23 Laurel’s causes of action are barred in whole or in part under the doctrine of unclean
24 hands.

25 **FIFTH AFFIRMATIVE DEFENSE**

26 **(INVASION OF PRIVACY JUSTIFIED)**

27 Although Defendants deny that they intruded upon any protected privacy right in this
28 case, to the extent any intrusion is found, such intrusion was justified to further a legitimate or

1 compelling countervailing interest of MBC.

2 **SIXTH AFFIRMATIVE DEFENSE**

3 **(ESTOPPEL)**

4 Laurel's causes of action are barred in whole or in part by the doctrine of equitable
5 estoppel.

6 **SEVENTH AFFIRMATIVE DEFENSE**

7 **(LACHES)**

8 Laurel's causes of action are barred in whole or in part under the doctrine of laches.

9 **EIGHTH AFFIRMATIVE DEFENSE**

10 **(FAILURE TO MITIGATE DAMAGES)**

11 Defendants are informed and believe that Laurel has failed, refused, or neglected to
12 mitigate or avoid the damages complained of in the Complaint, and is therefore barred from
13 recovering monetary damages from Defendants.

14 **Prayer for Relief**

15 Based upon the foregoing, Defendants respectfully pray the Court for judgment against
16 Laurel as follows:

- 17 1. That Laurel takes nothing by way of this action;
- 18 2. That Laurel's claims be dismissed with prejudice;
- 19 3. That Defendants be awarded their reasonable attorneys' fees and costs of suit
20 incurred herein; and
- 21 4. For such other relief as this Court deems just and proper.

22
23 DATED: September 7, 2023

FITZGERALD KNAIER LLP

24
25
26 By: 

27 Kenneth M. Fitzgerald
28 Amanda T. Muskat
Attorneys for Defendants McKinnon Broadcasting
Company and Stephen Sadler