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Electronically FILED by
Superior Court of California,
County of Los Angeles
5/19/2023 4:24 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By A. Lopez, Deputy Clerk

6 Attorneys for Defendant
ASHLEY GORE a/k/a ILLMA GORE
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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

11 BRIAN WARNER, p/k/a MARILYN
12 MANSON,

13 Plaintiff,

14 v.

15 EVAN RACHEL WOOD, ASHLEY GORE
16 a/k/a ILLMA GORE,

17 Defendants.

Case No. 22STCV07568

**DEFENDANT ASHLEY GORE a/k/a
ILLMA GORE'S ANSWER TO
PLAINTIFF'S COMPLAINT (AS
PARTIALLY STRICKEN BY THE
COURT'S MAY 9, 2023 ORDER ON
DEFENDANTS' SPECIAL MOTIONS TO
STRIKE)**

Action Filed: March 2, 2022

18 Defendant ASHLEY GORE a/k/a ILLMA GORE ("Defendant Gore") answers the
19 Complaint of Plaintiff BRIAN WARNER, p/k/a MARILYN MANSON ("Plaintiff"), as partially
20 stricken by the Court's May 9, 2023 ruling on Defendant Gore's and Defendant Evan
21 Rachel Wood's anti-SLAPP motions, as follows:

22 **GENERAL DENIAL**

23 Pursuant to Sections 431.10, *et seq.*, of the California Code of Civil Procedure,
24 Defendant Gore denies, both generally and specifically, each and every remaining
25 allegation of the Complaint and denies that Plaintiff is entitled to any relief whatsoever.

26 **AFFIRMATIVE DEFENSES**

27 Defendant pleads the following separate defenses. Defendant Gore reserves the
28 right to assert additional affirmative defenses that discovery indicates are proper.

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FIRST AFFIRMATIVE DEFENSE

(Failure to State Sufficient Facts)

As a separate and first affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that the Complaint fails to set forth facts or allegations sufficient to constitute a cause of action against Defendant Gore.

SECOND AFFIRMATIVE DEFENSE

(No Injury or Damage)

As a separate and second affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that Plaintiff has not been injured or damaged as a proximate result of any act or omission for which Defendant Gore is responsible.

THIRD AFFIRMATIVE DEFENSE

(No Causation)

As a separate and third affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that Plaintiff is barred in whole or in part from prosecuting the purported causes of action set forth in the Complaint because Defendant Gore is not responsible for any of the harm alleged to have been suffered by Plaintiff.

FOURTH AFFIRMATIVE DEFENSE

(Intervening and Superseding Cause)

As a separate and fourth affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that if Plaintiff suffered or sustained any loss, damage or injury as alleged in the Complaint (which Defendant Gore denies), such loss, damage or injury was legally caused or contributed to by the negligence or wrongful conduct of other persons or entities, and that their negligence or wrongful conduct was an intervening and superseding cause of the loss, damage or injury of which Plaintiff complains.

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FIFTH AFFIRMATIVE DEFENSE

(Proximate Cause – Plaintiff)

As a separate and fifth affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that the injuries and damages alleged in the Complaint by Plaintiff occurred, were proximately caused by and/or were contributed to by Plaintiff’s own acts or failures to act and that Plaintiff’s recovery, if any, should be reduced by an amount proportionate to the amount by which said acts caused or contributed to said alleged injury or damages.

SIXTH AFFIRMATIVE DEFENSE

(Apportionment of Fault)

As a separate and sixth affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that Plaintiff’s damages, if any, were caused by the negligence and/or acts or omissions of other persons or entities, whether or not parties to this action. By reason thereof, Plaintiff’s damages, if any, as against Defendant Gore, must be reduced by the proportion of fault attributable to such other parties, and to the extent that this is necessary, Defendant Gore may be entitled to partial indemnity from others on a comparative fault basis.

SEVENTH AFFIRMATIVE DEFENSE

(Waiver)

As a separate and seventh affirmative defense to the Complaint, Plaintiff has waived any and all claims by his own actions and omissions.

EIGHTH AFFIRMATIVE DEFENSE

(Estoppel)

As a separate and eighth affirmative defense to the Complaint, Plaintiff is estopped from asserting any claims against Defendant Gore by his own conduct, representations, and omissions.

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NINTH AFFIRMATIVE DEFENSE

(Laches)

As a separate and ninth affirmative defense to the Complaint, Plaintiff's claims are barred by the doctrine of laches.

TENTH AFFIRMATIVE DEFENSE

(Unclean Hands)

As a separate and tenth affirmative defense to the Complaint, Plaintiff's claims are barred by the doctrine of unclean hands.

ELEVENTH AFFIRMATIVE DEFENSE

(Punitive Damages Barred)

As a separate and eleventh affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that Plaintiff's alleged claim for punitive damages is barred by the provisions of California Civil Code Sections 3294 and 3295.

TWELFTH AFFIRMATIVE DEFENSE

(Privilege/Justification/Excuse)

As a separate and twelfth affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that Plaintiff is barred from prosecuting the purported causes of action set forth in the Complaint because the acts and/or omissions alleged in the Complaint were privileged, justified, and/or excused.

THIRTEENTH AFFIRMATIVE DEFENSE

(Consent)

As a separate and thirteenth affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that Plaintiff is barred from prosecuting the purported causes of action set forth in the Complaint because Plaintiff and/or persons acting on his behalf, consented to and acquiesced in the alleged subject conduct.

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FOURTEENTH AFFIRMATIVE DEFENSE

(Ratification)

As a separate and fourteenth affirmative defense to the Complaint and each purported cause of action contained therein, Defendant Gore alleges that, by virtue of the acts of Plaintiff and/or persons or entities acting on his behalf, Plaintiff is barred from prosecuting the purported causes of action set forth in the Complaint by the doctrine of ratification.

FIFTEENTH AFFIRMATIVE DEFENSE

(Statute of Limitations)

As a separate and fifteenth affirmative defense to the Complaint, Plaintiff's claims are barred by the statute of limitations.


WHEREFORE, Defendant prays for relief as follows:

1. That the Complaint be dismissed, with prejudice and in its entirety;
2. That Plaintiff take nothing by reason of this Complaint and that judgment be entered against Plaintiff and in favor of Defendant;
3. That Defendant be awarded her costs and granted any such other and further relief as the Court may deem just and proper.

DATED: May 19, 2022

HANSON BRIDGETT LLP

By:


MARGARET A. ZIEMIANEK
G. THOMAS RIVERA III
Attorneys for Defendant
ASHLEY GORE a/k/a ILLMA GORE

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PROOF OF SERVICE

Brian Warner v. Evan Rachel Wood, et al.
Los Angeles County Superior Court Case No. 22STCV07568

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Francisco, State of California. My business address is 425 Market Street, 26th Floor, San Francisco, CA 94105.

On May 19, 2023, I served true copies of the following document(s) described as:

DEFENDANT ASHLEY GORE A/K/A ILLMA GORE'S ANSWER TO PLAINTIFF'S COMPLAINT

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address gmohr@hansonbridgett.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 19, 2023.



Grace M. Mohr

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SERVICE LIST

Brian Warner v. Evan Rachel Wood, et al.
Los Angeles County Superior Court Case No. 22STCV07568

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