

FEB 29 2016

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF LOS ANGELES
11

12 CATHY GREEN, an individual, individually) CASE NO.: BC 598098
and on behalf of the public; JONATHAN)
13 FAIRBANKS, an individual, individually and) [Assigned for all purposes to the Honorable Susan
on behalf of the public; KIMBERLY) Bryant-Deason, Dept. 52]
14 WRIGHT, an individual, individually and on)
behalf of the public; and KRISTINA) ANSWER TO VERIFIED SECOND AMENDED
15 WARNER, an individual, individually and on) COMPLAINT
16 behalf of the public,)

17 Plaintiffs,)
18)
19)

20 vs.)
21)

22 MELISSA BACELAR, an individual; GAIL)
BACELAR, an individual; THE WYLDER)
23 FOUNDATION, a California nonprofit public)
benefit corporation; WYLDER'S SWEET)
24 SHOP, LLC, California corporation dba)
WYLDER'S PET CENTER & RESCUE;)
WYLDER'S HOLISTIC PET CENTER,)
25 INC., a Delaware corporation dba THE)
WAGMOR LUXURY PET HOTEL & SPA;)
and DOES 1 to 15, Inclusive.)

26
27 Defendants.
28

CIT/CASE: BC598098
LEA/DEF#:
RECEIPT #: CCH517486006
DATE PAID: 03/01/16 08:56 AM
PAYMENT: \$2,175.00
RECEIVED: 310
CHECK: \$2,175.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

001001010

1 Defendants Melissa Bacelar, Gail Bacelar, The Wylder Foundation, Wylder's Sweet Shop,
2 LLC, and Wylder's Holistic Pet Center, Inc. ("Defendants") answer the Verified Second Amended
3 Complaint ("Second Amended Complaint") herein, in accordance with the numbered paragraphs
4 thereof, as follows:

5 **INTRODUCTION**

6 1. Defendants lack information or belief sufficient to answer the allegations contained
7 in this numbered paragraph 1 of the Second Amended Complaint, and therefore deny such
8 allegations.

9 2. Defendant The Wylder Foundation admits that it does not rescue all of its dogs from
10 shelters. The remaining Defendants deny any inference that they, as opposed to The Wylder
11 Foundation, rescue and place dogs for adoption. Defendants deny the remaining allegations
12 contained in this numbered paragraph 2 of the Second Amended Complaint.

13 3. Defendants admit that Studio City is located within the City of Los Angeles. The
14 remaining allegations constitute legal conclusions for which no answer is required. Defendants
15 deny any remaining allegations contained in this numbered paragraph 3 of the Second Amended
16 Complaint.

17 4. Defendants admit that defendants Melissa Bacelar and Gail Bacelar are President
18 and Vice President, respectively, of The Wylder Foundation. Defendants deny the remaining
19 allegations contained in this numbered paragraph 4 of the Second Amended Complaint.

20 5. Defendants lack information or belief sufficient to answer the allegations contained
21 in this numbered paragraph 5 of the Second Amended Complaint, and therefore deny such
22 allegations.

23 6. Defendants deny each and every allegation contained in this numbered paragraph 6
24 of the Second Amended Complaint.

25 7. Defendants lack information or belief sufficient to answer the allegations contained
26 in numbered paragraph 7 of the Second Amended Complaint, and therefore deny such allegations.

27 8. Defendants deny each and every allegation contained in this numbered paragraph 8
28

1 of the Second Amended Complaint.

2 9. Defendants deny each and every allegation contained in this numbered paragraph 9
3 of the Second Amended Complaint.

4 10. Defendant The Wylder Foundation admits that it places adult dogs and puppies for
5 adoption. Defendants deny each and every remaining allegation contained in this numbered
6 paragraph 10 of the Second Amended Complaint.

7 11. Defendants deny each and every allegation contained in this numbered paragraph 11
8 of the Second Amended Complaint.

9 **PARTIES**

10 12. Defendants lack information or belief sufficient to answer the allegations contained
11 in this numbered paragraph 12 of the Second Amended Complaint, and therefore deny such
12 allegations.

13 13. Defendants lack information or belief sufficient to answer the allegations contained
14 in this numbered paragraph 13 of the Second Amended Complaint, and therefore deny such
15 allegations.

16 14. Defendants lack information or belief sufficient to answer the allegations contained
17 in this numbered paragraph 14 of the Second Amended Complaint, and therefore deny such
18 allegations.

19 15. Defendants lack information or belief sufficient to answer the allegations contained
20 in this numbered paragraph 15 of the Second Amended Complaint, and therefore deny such
21 allegations.

22 16. Defendants admit that Melissa Bacelar is a resident of Los Angeles County, State of
23 California; that she is the President of Defendant Wylder Foundation; that she is a shareholder of
24 Defendant Wylder's Holistic Pet Center, Inc. dba The Wagmor; that Wylder's Sweet Shop, LLC
25 and Wylder's Holistic Pet Center, Inc. each do business in Los Angeles County, State of
26 California. Defendants deny the remaining allegations contained in this numbered paragraph 16
27 of the Second Amended Complaint.
28

1 17. Defendants admit that Gail Bacelar is a resident of Los Angeles County, State of
2 California; and that she is the Vice President of Defendant The Wylder Foundation. Defendants
3 deny the remaining allegations contained in this numbered paragraph 17 of the Second Amended
4 Complaint.

5 18. Defendants admit the allegations contained in the first two sentences of this
6 numbered paragraph 18 of the Second Amended Complaint. Defendants deny the remaining
7 allegations contained in this numbered paragraph 18 of the Second Amended Complaint.

8 19. Defendants admit the allegations contained in paragraph 19 of the Second Amended
9 Complaint.

10 20. Defendants deny and each and every allegation contained in this numbered
11 paragraph 20 of the Second Amended Complaint.

12 21. Defendants deny and each and every allegation contained in this numbered
13 paragraph 21 of the Second Amended Complaint.

14 22. Defendants deny and each and every allegation contained in this numbered
15 paragraph 22 of the Second Amended Complaint.

16 23. Defendants lack information or belief sufficient to answer the allegations contained
17 in this numbered paragraph 23 of the Second Amended Complaint, and therefore deny such
18 allegations.

19 24. Defendants lack information or belief sufficient to answer the allegations contained
20 in this numbered paragraph 24 of the Second Amended Complaint, and therefore deny such
21 allegations.

22 **JURISDICTION AND VENUE**

23 25. Defendants admit that they reside and/or transact business in the County of Los
24 Angeles. The remaining allegations constitute legal conclusions for which no answer is required.
25 Defendants deny any remaining allegations contained in this numbered paragraph 25 of the Second
26 Amended Complaint.

ALTER EGO ALLEGATIONS

1
2 26. Defendants deny each and every allegation contained in this numbered paragraph 26
3 of the Second Amended Complaint.

4 27. Defendants deny each and every allegation contained in this numbered paragraph 27
5 of the Second Amended Complaint.

6 28. Defendants deny each and every allegation contained in this numbered paragraph 28
7 of the Second Amended Complaint.

8 29. Defendants deny each and every allegation contained in this numbered paragraph 29
9 of the Second Amended Complaint.

10 30. Defendants deny each and every allegation contained in this numbered paragraph 30
11 of the Second Amended Complaint.

12 31. Defendants deny each and every allegation contained in this numbered paragraph 31
13 of the Second Amended Complaint.

GENERAL FACTUAL BACKGROUND

14
15 32. Defendants admit that the website at www.wydersholisticpetcenter.com contains
16 statements regarding Melissa Bacelar, the contents of which speak for themselves. Defendants
17 deny the allegations of this paragraph to the extent they inaccurately quote, mischaracterize or
18 otherwise attempt improperly to recharacterize the contents of such website. Defendants deny the
19 remaining allegations of this paragraph.

20 33. Defendants admit that Defendant The Wylder Foundation is a California nonprofit
21 public benefit corporation. The contents of Exhibits A and C speak for themselves, and
22 Defendants deny the allegations of paragraph 33 to the extent they inaccurately quote,
23 mischaracterize or otherwise attempt improperly to recharacterize the contents of such documents.
24 Defendants deny the remaining allegations of this paragraph.

25 34. The contents of Exhibit C speak for themselves, and Defendants deny the
26 allegations of paragraph 34 to the extent they inaccurately quote, mischaracterize or otherwise
27 attempt improperly to recharacterize the contents of such document. Defendants deny the
28

1 remaining allegations of this paragraph.

2 35. Defendants admit that Wylder's Sweet Shop, LLC is an entity located in Studio
3 City, California but lack information or belief sufficient to answer the allegation that it is a "pet
4 boutique" insofar as it is unclear what is meant thereby, and therefore deny such allegation. Its
5 website speaks for itself, and Defendants deny the allegations of this paragraph to the extent they
6 inaccurately quote, mischaracterize or otherwise attempt improperly to recharacterize the contents
7 of such website. Defendants deny the remaining allegations of this paragraph.

8 36. Defendants deny each and every allegation contained in this numbered paragraph 36
9 of the Second Amended Complaint.

10 37. The contents of Exhibit C and the referenced website speak for themselves, and
11 Defendants deny the allegations of paragraph 37 to the extent they inaccurately quote,
12 mischaracterize or otherwise attempt improperly to recharacterize the contents of such document.
13 Defendants admit that no member of The Wylder Foundation visited the homes of the Plaintiffs.
14 Defendants deny the remaining allegations of this numbered paragraph 37.

15 38. Defendants currently lack information or belief sufficient to answer the allegations
16 contained in the first sentence of this numbered paragraph 38, and therefore deny such allegations.
17 Defendants deny the allegations contained in the second sentence of this numbered paragraph 38.
18 The www.Petfinder.com postings speak for themselves. Defendants deny the allegations of this
19 paragraph to the extent they inaccurately quote, mischaracterize or otherwise attempt improperly to
20 recharacterize the contents of such postings. Defendants currently lack information or belief
21 sufficient to answer the remaining allegations of this numbered paragraph 38 and therefore deny
22 such allegations.

23 39. Defendants deny each and every allegation contained in this numbered paragraph
24 39 of the Second Amended Complaint.

25 40. Defendants admit that Gail Bacelar is the Vice-President, and thus an employee, of
26 the Wylder Foundation. Defendants also admit that Gail Bacelar is the mother of Melissa Bacelar.
27 With the exception of the allegations contained in the last sentence, Defendants deny the remaining
28

1 allegations contained in this numbered paragraph 40. With respect to the allegations contained in
2 the last sentence, Defendants currently lack information or belief sufficient to answer such
3 allegations and therefore deny such allegations.

4 41. Defendants currently lack information or belief sufficient to answer the allegations
5 contained in the first sentence and therefore deny such allegations. Defendants deny each and
6 every remaining allegation contained in this numbered paragraph 41 of the Second Amended
7 Complaint.

8 42. Defendants deny each and every allegation contained in this numbered paragraph 42
9 of the Second Amended Complaint.

10 43. Defendants deny each and every allegation contained in this numbered paragraph 43
11 of the Second Amended Complaint.

12 44. Defendants deny each and every allegation contained in this numbered paragraph 44
13 of the Second Amended Complaint.

14 45. Defendants deny each and every allegation contained in this numbered paragraph 45
15 of the Second Amended Complaint.

16 46. Defendants deny each and every allegation contained in this numbered paragraph 46
17 of the Second Amended Complaint.

18 47. Defendants deny each and every allegation contained in this numbered paragraph 47
19 of the Second Amended Complaint.

20 48. Defendants admit that The Wylder Foundation has placed for adoption over 800
21 adult dogs and puppies since February 2014. Defendants deny each and every remaining
22 allegation contained in this numbered paragraph 48 of the Second Amended Complaint.

23 49. Defendants deny each and every allegation contained in this numbered paragraph
24 49 of the Second Amended Complaint.

25 50. Defendants deny each and every allegation contained in this numbered paragraph 50
26 of the Second Amended Complaint.

27 51. Defendants deny each and every allegation contained in this numbered paragraph 51
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1 of the Second Amended Complaint.

2 52. Defendants deny each and every allegation contained in this numbered paragraph 52
3 of the Second Amended Complaint.

4 53. Defendants deny each and every allegation contained in this numbered paragraph 53
5 of the Second Amended Complaint.

6 54. Defendants deny each and every allegation contained in this numbered paragraph 54
7 of the Second Amended Complaint.

8 **FACTUAL BACKGROUND RELATING TO THUMPER'S DEATH**

9 55. Defendants lack information or belief sufficient to answer the allegations contained
10 in this numbered paragraph 55 of the Second Amended Complaint, and therefore deny such
11 allegations.

12 56. Defendants admit that Plaintiff Green called Defendant Wylder's Sweet Shop, LLC
13 and spoke with Defendant Gail Bacelar. Defendants deny each and every remaining allegation of
14 this numbered paragraph 56 of the Second Amended Complaint.

15 57. Defendants lack information or belief sufficient to answer the allegations contained
16 in the first sentence of this numbered paragraph 57 of the Second Amended Complaint, and
17 therefore deny such allegations. Defendants deny the remaining allegations contained in this
18 numbered paragraph 57 of the Second Amended Complaint.

19 58. Defendants deny the allegations contained in the first two sentences of this
20 numbered paragraph 58 of the Second Amended Complaint. Defendants lack information or belief
21 sufficient to answer the allegations contained in the last sentence of this numbered paragraph 58 of
22 the Second Amended Complaint, and therefore deny such allegations.

23 59. Defendants admit that Plaintiff Green picked out one of the Multi-poo puppies and
24 that Plaintiff Green had the puppy socialize with Bambi in an isolated, sterilized area of the store.
25 Defendants deny each and every remaining allegation contained in this numbered paragraph 59 of
26 the Second Amended Complaint.

27 60. Defendants deny each and every allegation contained in this numbered paragraph 60
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1 of the Second Amended Complaint.

2 61. Defendants currently lack information or belief sufficient to answer the allegations
3 contained in this numbered paragraph 61 of the Second Amended Complaint, and therefore deny
4 such allegations.

5 62. Defendants deny any implication that "Winona" is the same puppy as the one
6 adopted by Plaintiff Green. Defendants admit that Plaintiff Green was given a voucher for her
7 puppy to receive micro-chipping and sterilization. Defendants admit the allegations contained in
8 the last sentence of this paragraph. Except as expressly admitted, Defendants deny each and every
9 allegation contained in this numbered paragraph 62 of the Second Amended Complaint.

10 63. Defendants deny each and every allegation contained in this numbered paragraph 63
11 of the Second Amended Complaint.

12 64. Defendants deny each and every allegation contained in this numbered paragraph 64
13 of the Second Amended Complaint.

14 65. Defendants deny each and every allegation contained in this numbered paragraph 65
15 of the Second Amended Complaint.

16 66. Bambi's medical records indicate Bambi was sick prior to September 4, 2015.
17 Defendants admit the allegations contained in the last sentence of this numbered paragraph 66 of
18 the Second Amended Complaint. Defendants lack information or belief sufficient to answer the
19 remaining allegations contained in this numbered paragraph 66 of the Second Amended
20 Complaint, and therefore deny such allegations.

21 67. Defendants lack information or belief sufficient to answer the allegations contained
22 in this numbered paragraph 67 of the Second Amended Complaint, and therefore deny such
23 allegations.

24 68. Defendants lack information or belief sufficient to answer the allegations contained
25 in this numbered paragraph 68 of the Second Amended Complaint, and therefore deny such
26 allegations.

27 69. Defendants lack information or belief sufficient to answer the allegations contained
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1 in this numbered paragraph 69 of the Second Amended Complaint, and therefore deny such
2 allegations.

3 70. Defendants deny each and every allegation contained in this numbered paragraph 70
4 of the Second Amended Complaint.

5 71. Defendants lack information or belief sufficient to answer the allegations as to
6 whether and when Plaintiff Green received the email attached as Exhibit "E" and therefore deny
7 such allegations. Defendants also deny any allegation that the email was from all Defendants. The
8 email speaks for itself. Defendants deny the allegations of this paragraph to the extent they
9 inaccurately quote, mischaracterize or otherwise attempt improperly to recharacterize the contents
10 of such email.

11 72. Defendants deny each and every allegation contained in this numbered paragraph 72
12 of the Second Amended Complaint.

13 73. Defendants currently lack information or belief sufficient to answer the allegations
14 contained in the first two sentences and last sentence of this numbered paragraph 73 of the Second
15 Amended Complaint, and therefore deny such allegations. Defendants currently lack information
16 or belief sufficient to answer any allegations as to the date of Plaintiff Green's telephone call.
17 Defendants deny each and every remaining allegation contained in this numbered paragraph 73 of
18 the Second Amended Complaint.

19 74. Defendants lack information or belief sufficient to answer the allegations as to
20 whether and when Plaintiff Green received the email attached as Exhibit "F" and therefore deny
21 such allegations. Defendants also deny any allegation that the email was from all Defendants. The
22 email speaks for itself. Defendants deny the allegations of this paragraph to the extent they
23 inaccurately quote, mischaracterize or otherwise attempt improperly to recharacterize the contents
24 of such email. Defendants deny the remaining allegations contained in this numbered paragraph
25 74 of the Second Amended Complaint.

26 75. The email attached as Exhibit "F" speaks for itself. Defendants deny the allegations
27 of this paragraph to the extent they inaccurately quote, mischaracterize or otherwise attempt
28

1 improperly to recharacterize the contents of such email. Defendants deny the allegations contained
2 in the last sentence of this numbered paragraph 75 of the Second Amended Complaint.

3 76. Defendants currently lack information or belief sufficient to answer the allegations
4 as to whether and when Thumper died and whether and when Plaintiff Green received the email
5 attached as Exhibit "G" and therefore deny such allegations. The email speaks for itself.

6 Defendants deny the allegations of this paragraph to the extent they inaccurately quote,
7 mischaracterize or otherwise attempt improperly to recharacterize the contents of such email.
8 Defendants deny the remaining allegations contained in this numbered paragraph 76 of the Second
9 Amended Complaint.

10 77. Defendants currently lack information or belief sufficient to answer the allegations
11 contained in this numbered paragraph 77 of the Second Amended Complaint, and therefore deny
12 such allegations.

13 78. Defendants currently lack information or belief sufficient to answer the allegations
14 contained in this numbered paragraph 78 of the Second Amended Complaint, and therefore deny
15 such allegations.

16 79. Defendants lack information or belief sufficient to answer the allegations as to
17 whether and when Plaintiff Green received the cease and desist letter and therefore deny such
18 allegations. The letter speaks for itself. Defendants deny the allegations of this paragraph to the
19 extent they inaccurately quote, mischaracterize or otherwise attempt improperly to recharacterize
20 the contents of such letter.

21 80. Defendants currently lack information or belief sufficient to answer the allegations
22 contained in this numbered paragraph 80 of the Second Amended Complaint, and therefore deny
23 such allegations.

24 81. Defendants deny the allegations contained in the first sentence of this numbered
25 paragraph 81 of the Second Amended Complaint. Defendants currently lack information or belief
26 sufficient to answer the remaining allegations contained in this numbered paragraph 81 of the
27 Second Amended Complaint, and therefore deny such allegations.
28

1 **FACTUAL BACKGROUND RELATING TO KOBI & WALTER'S DEATHS**

2 82. Defendants currently lack information or belief sufficient to answer the allegations
3 contained in this numbered paragraph 82 of the Second Amended Complaint, and therefore deny
4 such allegations.

5 83. Defendants currently lack information or belief sufficient to answer the allegations
6 contained in this numbered paragraph 83 of the Second Amended Complaint, and therefore deny
7 such allegations.

8 84. Defendants admit that Plaintiff Wright spoke with Defendant Melissa Bacelar and
9 that Plaintiff Wright inquired into the origin of the Mini Schnauzers mentioned on
10 www.Petfinder.com. Defendants deny each and every remaining allegation of this numbered
11 paragraph 84 of the Second Amended Complaint.

12 85. Defendants currently lack information or belief sufficient to answer the allegations
13 contained in this numbered paragraph 85 of the Second Amended Complaint, and therefore deny
14 such allegations.

15 86. Defendants deny the allegations contained in the second sentence of this numbered
16 paragraph 86 of the Second Amended Complaint. Defendants currently lack information or belief
17 sufficient to answer the remaining allegations contained in this numbered paragraph 86 of the
18 Second Amended Complaint, and therefore deny such allegations.

19 87. Defendants deny each and every allegation contained in this numbered paragraph 87
20 of the Second Amended Complaint.

21 88. Defendants admit that the donation of \$1200.00 was paid for the Mini Schnauzer
22 puppies and that the puppies were renamed Kobi and Walter. Defendants deny each and every
23 remaining allegation contained in this numbered paragraph 88 of the Second Amended Complaint.

24 89. Defendants currently lack information or belief sufficient to answer the allegations
25 contained in this numbered paragraph 89 of the Second Amended Complaint, and therefore deny
26 such allegations.

27 90. Defendants currently lack information or belief sufficient to answer the allegations
28

1 contained in this numbered paragraph 90 of the Second Amended Complaint, and therefore deny
2 such allegations.

3 91. Defendants deny each and every allegation contained in this numbered paragraph 91
4 of the Second Amended Complaint.

5 92. Defendants currently lack information or belief sufficient to answer the allegations
6 contained in this numbered paragraph 92 of the Second Amended Complaint, and therefore deny
7 such allegations.

8 93. Defendants currently lack information or belief sufficient to answer the allegations
9 contained in this numbered paragraph 93 of the Second Amended Complaint, and therefore deny
10 such allegations.

11 94. Defendants admit that Melissa Bacelar did not inform Plaintiff Wright that puppies
12 that were never placed for adoption did die of the Parvovirus in April 2015. Defendants currently
13 lack information or belief sufficient to answer the remaining allegations contained in this
14 numbered paragraph 94 of the Second Amended Complaint, and therefore deny such allegations.

15 95. Defendants currently lack information or belief sufficient to answer the allegations
16 contained in this numbered paragraph 95 of the Second Amended Complaint, and therefore deny
17 such allegations.

18 96. Defendants currently lack information or belief sufficient to answer the allegations
19 contained in this numbered paragraph 96 of the Second Amended Complaint, and therefore deny
20 such allegations.

21 97. The text message attached as Exhibit "H" speaks for itself. Defendants deny the
22 allegations of this paragraph to the extent they inaccurately quote, mischaracterize or otherwise
23 attempt improperly to recharacterize the contents of such message. Defendants currently lack
24 information or belief sufficient to answer the remaining allegations contained in this numbered
25 paragraph 97 of the Second Amended Complaint, and therefore deny such allegations.

26 98. Defendants currently lack information or belief sufficient to answer the allegations
27 contained in this numbered paragraph 98 of the Second Amended Complaint, and therefore deny
28

1 such allegations.

2 99. Defendants currently lack information or belief sufficient to answer the allegations
3 contained in this numbered paragraph 99 of the Second Amended Complaint, and therefore deny
4 such allegations.

5 100. The referenced text messages from Plaintiff Wright and Defendant Melissa Bacelar
6 attached as part of Exhibit "I" speak for themselves. Defendants deny the allegations of this
7 paragraph to the extent they inaccurately quote, mischaracterize or otherwise attempt improperly to
8 recharacterize the contents of such messages. Defendants admit that Defendant Melissa Bacelar is
9 the writer of the two text messages attributed to Melissa Bacelar in this paragraph but currently
10 lack information or belief sufficient to answer the remaining allegations contained in this
11 numbered paragraph 100 of the Second Amended Complaint, including but not limited to
12 allegations regarding the date and time of the text messages, and therefore deny such allegations.

13 101. Defendants currently lack information or belief sufficient to answer the allegations
14 contained in this numbered paragraph 101 of the Second Amended Complaint, and therefore deny
15 such allegations.

16 102. Defendants admit that Defendant Melissa Bacelar informed Plaintiff Wright that
17 she had spoken with the two owners of the other two Mini Schnauzers, that she had been advised
18 that the other two Mini Schnauzers were not sick, and that she had suggested that the two owners
19 take their puppies to The Wylder Foundation's veterinarian. Defendants deny each and every
20 remaining allegation contained in this numbered paragraph 102 of the Second Amended
21 Complaint.

22 103. Defendants currently lack information or belief sufficient to answer the allegations
23 contained in this numbered paragraph 103 of the Second Amended Complaint, and therefore deny
24 such allegations.

25 104. Defendants currently lack information or belief sufficient to answer the allegations
26 contained in this numbered paragraph 104 of the Second Amended Complaint, and therefore deny
27 such allegations.
28

1 105. Defendants deny any allegation that Defendants engaged in any intentional
2 misrepresentations. Defendants admit that Plaintiff Wright started her own fundraising page.
3 Defendants currently lack information or belief sufficient to answer the remaining allegations
4 contained in this numbered paragraph 105 of the Second Amended Complaint, and therefore deny
5 such allegations.

6 106. The allegations contained in this numbered paragraph 106 of the Second Amended
7 Complaint are unintelligible. Thus, Defendants lack information or belief sufficient to answer the
8 allegations contained in this numbered paragraph 106 of the Second Amended Complaint, and
9 therefore deny such allegations.

10 107. Defendants admit that The Wylder Foundation refunded \$1000 to Plaintiffs
11 Fairbanks and Wright but deny the remaining allegations of this numbered paragraph 107 of the
12 Second Amended Complaint.

13 108. The referenced text message from Defendant Melissa Bacelar attached as part of
14 Exhibit "I" speaks for itself. Defendants deny the allegations of this paragraph to the extent they
15 inaccurately quote, mischaracterize or otherwise attempt improperly to recharacterize the contents
16 of such message. Defendants admit that Defendant Melissa Bacelar is the author of the text
17 message attributed to Melissa Bacelar in this paragraph but currently lack information or belief
18 sufficient to answer the allegations regarding the date of the text message, and therefore deny such
19 allegations. Defendants currently lack information or belief sufficient to answer the remaining
20 allegations contained in this numbered paragraph 108 of the Second Amended Complaint, and
21 therefore deny such allegations.

22 109. The referenced text message from Defendant Melissa Bacelar attached as part of
23 Exhibit "K" speaks for itself. Defendants deny the allegations of this paragraph to the extent they
24 inaccurately quote, mischaracterize or otherwise attempt improperly to recharacterize the contents
25 of such message. Defendants admit that Defendant Melissa Bacelar is the author of the text
26 message attributed to Melissa Bacelar in this paragraph, but Defendants deny that Defendant
27 Melissa Bacelar admits to puppy flipping. Defendants lack information or belief sufficient to
28

1 answer the remaining allegations of this numbered paragraph 109 of the Second Amended
2 Complaint, and therefore deny such allegations.

3 110. Defendants lack information or belief sufficient to answer the allegations contained
4 in this numbered paragraph 110 of the Second Amended Complaint, and therefore deny such
5 allegations.

6 111. The referenced text message from Defendant Melissa Bacelar attached as part of
7 Exhibit "L" speaks for itself. Defendants deny the allegations of this paragraph to the extent they
8 inaccurately quote, mischaracterize or otherwise attempt improperly to recharacterize the contents
9 of such message. Defendants lack information or belief sufficient to answer the remaining
10 allegations contained in this numbered paragraph 111 of the Second Amended Complaint, and
11 therefore deny such allegations.

12 112. Defendants admit that an attorney representing Defendant Melissa Bacelar sent an
13 email on or about September 18, 2015 to the attorney for Plaintiffs Fairbanks and Wright. The
14 email speaks for itself. Defendants deny the allegations of this paragraph to the extent they
15 inaccurately quote, mischaracterize or otherwise attempt improperly to recharacterize the contents
16 of such email. Defendants deny any remaining allegations contained in this numbered paragraph
17 112 of the Second Amended Complaint.

18 113. Defendants currently lack information or belief sufficient to answer the allegations
19 contained in this numbered paragraph 113 of the Second Amended Complaint, and therefore deny
20 such allegations.

21 **FACTUAL BACKGROUND RELATING TO DAKOTA'S DEATH**

22 114. Defendants lack information or belief sufficient to answer the allegations contained
23 in this numbered paragraph 114 of the Second Amended Complaint, and therefore deny such
24 allegations.

25 115. Defendants deny each and every allegation contained in this numbered paragraph
26 115 of the Second Amended Complaint.

27 116. Defendants lack information or belief sufficient to answer the allegations contained
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1 in this numbered paragraph 116 of the Second Amended Complaint, and therefore deny such
2 allegations.

3 117. Defendants deny any inference that the \$600 did not constitute a donation.
4 Defendants currently lack information or belief sufficient to answer the remaining allegations
5 contained in this numbered paragraph 117 of the Second Amended Complaint, and therefore deny
6 such allegations.

7 118. Defendants currently lack information or belief sufficient to answer the allegations
8 contained in this numbered paragraph 118 of the Second Amended Complaint, and therefore deny
9 such allegations.

10 119. Defendants currently lack information or belief sufficient to answer the allegations
11 contained in this numbered paragraph 119 of the Second Amended Complaint, and therefore deny
12 such allegations.

13 120. Defendants currently lack information or belief sufficient to answer the allegations
14 contained in this numbered paragraph 120 of the Second Amended Complaint, and therefore deny
15 such allegations.

16 121. Defendants currently lack information or belief sufficient to answer the allegations
17 contained in this numbered paragraph 121 of the Second Amended Complaint, and therefore deny
18 such allegations.

19 122. Defendants admit the allegations contained in the first sentence of this numbered
20 paragraph 122 of the Second Amended Complaint. Defendants also admit that one \$200 donation
21 was paid directly to the veterinarian whom Plaintiff Warner indicated was the veterinarian treating
22 the puppy she adopted from The Wylder Foundation. Defendants currently lack information or
23 belief sufficient to answer the remaining allegations contained in this numbered paragraph 120 of
24 the Second Amended Complaint, and therefore deny such allegations.

25 123. Defendants currently lack information or belief sufficient to answer the allegations
26 contained in this numbered paragraph 120 of the Second Amended Complaint, and therefore deny
27 such allegations.
28

1 124. Defendants currently lack information or belief sufficient to answer the allegations
2 contained in this numbered paragraph 120 of the Second Amended Complaint, and therefore deny
3 such allegations.

4 125. Defendants deny each and every allegation contained in this numbered paragraph
5 125 of the Second Amended Complaint.

6 **FIRST CAUSE OF ACTION**

7 **(Negligent Misrepresentation Against All Defendants)**

8 Defendants adopt and reallege their responses to paragraphs 1 through 125 of the Second
9 Amended Complaint.

10 126. Defendants deny each and every allegation contained in this numbered paragraph
11 126 of the Second Amended Complaint.

12 127. Defendants deny each and every allegation contained in this numbered paragraph
13 127 of the Second Amended Complaint.

14 128. Defendants deny each and every allegation contained in this numbered paragraph
15 128 of the Second Amended Complaint.

16 129. Defendants deny each and every allegation contained in this numbered paragraph
17 129 of the Second Amended Complaint.

18 130. Defendants deny each and every allegation contained in this numbered paragraph
19 130 of the Second Amended Complaint.

20 131. Defendants deny each and every allegation contained in this numbered paragraph
21 131 of the Second Amended Complaint.

22 **SECOND CAUSE OF ACTION**

23 **(Intentional Misrepresentation Against All Defendants)**

24 Defendants adopt and reallege their responses to paragraphs 1 through 131 of the Second
25 Amended Complaint.

26 132. Defendants deny each and every allegation contained in this numbered paragraph
27 132 of the Second Amended Complaint.
28

1 133. Defendants deny each and every allegation contained in this numbered paragraph
2 133 of the Second Amended Complaint.

3 134. Defendants deny each and every allegation contained in this numbered paragraph
4 134 of the Second Amended Complaint.

5 135. Defendants deny each and every allegation contained in this numbered paragraph
6 135 of the Second Amended Complaint.

7 136. Defendants deny each and every allegation contained in this numbered paragraph
8 136 of the Second Amended Complaint.

9 137. Defendants deny each and every allegation contained in this numbered paragraph
10 137 of the Second Amended Complaint.

11 138. Defendants deny each and every allegation contained in this numbered paragraph
12 138 of the Second Amended Complaint.

13 139. Defendants deny each and every allegation contained in this numbered paragraph
14 139 of the Second Amended Complaint.

15 **THIRD CAUSE OF ACTION**

16 **(Concealment Against All Defendants)**

17 Defendants adopt and reallege their responses to paragraphs 1 through 139 of the Second
18 Amended Complaint.

19 140. Defendants deny each and every allegation contained in this numbered paragraph
20 140 of the Second Amended Complaint.

21 141. Defendants deny each and every allegation and pregnant implication contained in
22 this numbered paragraph 141 of the Second Amended Complaint.

23 142. Defendants deny each and every allegation contained in this numbered paragraph
24 142 of the Second Amended Complaint.

25 143. Defendants deny each and every allegation contained in this numbered paragraph
26 143 of the Second Amended Complaint.

27 144. Defendants deny each and every allegation contained in this numbered paragraph
28

1 144 of the Second Amended Complaint.

2 145. Defendants deny each and every allegation contained in this numbered paragraph
3 145 of the Second Amended Complaint.

4 146. Defendants deny each and every allegation contained in this numbered paragraph
5 146 of the Second Amended Complaint.

6 147. Defendants deny each and every allegation contained in this numbered paragraph
7 147 of the Second Amended Complaint.

8 148. Defendants deny each and every allegation contained in this numbered paragraph
9 148 of the Second Amended Complaint.

10 149. Defendants deny each and every allegation contained in this numbered paragraph
11 149 of the Second Amended Complaint.

12 **FOURTH CAUSE OF ACTION**

13 **(Intentional Infliction of Emotional Distress Against All Defendants)**

14 Defendants adopt and reallege their responses to paragraphs 1 through 149 of the Second
15 Amended Complaint.

16 150. Defendants deny each and every allegation contained in this numbered paragraph
17 150 of the Second Amended Complaint.

18 151. Defendants deny each and every allegation contained in this numbered paragraph
19 151 of the Second Amended Complaint.

20 152. Defendants deny each and every allegation contained in this numbered paragraph
21 152 of the Second Amended Complaint.

22 **FIFTH CAUSE OF ACTION**

23 **(Negligent Infliction of Emotional Distress Against All Defendants)**

24 Defendants adopt and reallege their responses to paragraphs 1 through 152 of the Second
25 Amended Complaint.

26 153. Defendants deny each and every allegation contained in this numbered paragraph
27 153 of the Second Amended Complaint.

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1 154. Defendants deny each and every allegation contained in this numbered paragraph
2 154 of the Second Amended Complaint.

3 155. Defendants deny each and every allegation contained in this numbered paragraph
4 155 of the Second Amended Complaint.

5 156. Defendants deny each and every allegation contained in this numbered paragraph
6 156 of the Second Amended Complaint.

7 **SIXTH CAUSE OF ACTION**

8 **(Unfair and Fraudulent Business Practices in**

9 **Violation of Cal. Bus. & Prof. Code §§17200 et seq. Against All Defendants)**

10 Defendants adopt and reallege their responses to paragraphs 1 through 156 of the Second
11 Amended Complaint.

12 157. Defendants deny each and every allegation contained in this numbered paragraph
13 157 of the Second Amended Complaint.

14 158. Defendants deny each and every allegation contained in this numbered paragraph
15 158 of the Second Amended Complaint.

16 159. Defendants deny each and every allegation contained in this numbered paragraph
17 159 of the Second Amended Complaint.

18 160. Defendants deny each and every allegation contained in this numbered paragraph
19 160 of the Second Amended Complaint.

20 161. Defendants deny each and every allegation contained in this numbered paragraph
21 161 of the Second Amended Complaint.

22 162. Defendants deny each and every allegation contained in this numbered paragraph
23 162 of the Second Amended Complaint.

24 163. Defendants deny each and every allegation contained in this numbered paragraph
25 163 of the Second Amended Complaint.

26 164. Defendants deny each and every allegation contained in this numbered paragraph
27 164 of the Second Amended Complaint.

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1 165. Defendants deny each and every allegation contained in this numbered paragraph
2 165 of the Second Amended Complaint.

3 **SEVENTH CAUSE OF ACTION**

4 **(Unlawful Business Practices in**

5 **Violation of Cal. Bus. & Prof. Code §§17200 et seq. Against All Defendants)**

6 Defendants adopt and reallege their responses to paragraphs 1 through 165 of the Second
7 Amended Complaint.

8 166. Defendants deny each and every allegation contained in this numbered paragraph
9 166 of the Second Amended Complaint.

10 167. Defendants deny each and every allegation contained in this numbered paragraph
11 167 of the Second Amended Complaint.

12 168. Defendants deny each and every allegation contained in this numbered paragraph
13 168 of the Second Amended Complaint.

14 169. Defendants deny each and every allegation contained in this numbered paragraph
15 169 of the Second Amended Complaint.

16 170. Defendants deny each and every allegation contained in this numbered paragraph
17 170 of the Second Amended Complaint.

18 171. Defendants deny each and every allegation contained in this numbered paragraph
19 171 of the Second Amended Complaint.

20 172. Defendants deny each and every allegation contained in this numbered paragraph
21 172 of the Second Amended Complaint.

22 **EIGHTH CAUSE OF ACTION**

23 **(False & Misleading Advertising in**

24 **Violation of Cal. Bus. & Prof. Code §§17500 et seq. Against All Defendants)**

25 Defendants adopt and reallege their responses to paragraphs 1 through 172 of the Second
26 Amended Complaint.

27 173. Defendants deny each and every allegation contained in this numbered paragraph
28

1 174 of the Second Amended Complaint.

2 174. Defendants deny each and every allegation contained in this numbered paragraph
3 174 of the Second Amended Complaint.

4 175. Defendants deny each and every allegation contained in this numbered paragraph
5 175 of the Second Amended Complaint.

6 176. Defendants deny each and every allegation contained in this numbered paragraph
7 176 of the Second Amended Complaint.

8 177. Defendants deny each and every allegation contained in this numbered paragraph
9 177 of the Second Amended Complaint.

10 178. Defendants deny each and every allegation contained in this numbered paragraph
11 178 of the Second Amended Complaint.

12 179. Defendants deny each and every allegation contained in this numbered paragraph
13 179 of the Second Amended Complaint.

14 180. Defendants deny each and every allegation contained in this numbered paragraph
15 180 of the Second Amended Complaint.

16 **NINTH CAUSE OF ACTION**

17 **(Negligence and Negligence Per Se Against All Defendants)**

18 Defendants adopt and reallege their responses to paragraphs 1 through 180 of the Second
19 Amended Complaint.

20 181. Defendants deny each and every allegation contained in this numbered paragraph
21 181 of the Second Amended Complaint.

22 182. Defendants deny each and every allegation contained in this numbered paragraph
23 182 of the Second Amended Complaint.

24 183. Defendants admit that The Wylder Foundation, Wylder's Sweet Shop, LLC and
25 Wylder's Holistic Pet Center, Inc. are located in the City of Los Angeles. Defendants lack
26 information or belief as to what it means for an individual to be "located" in the City of Los
27 Angeles and on that basis deny that Melissa Bacelar and Gail Bacelar are located in the City of Los
28

1 Angeles. Defendants deny each and every remaining allegation contained in this numbered
2 paragraph 183 of the Second Amended Complaint.

3 184. Defendants deny each and every allegation contained in this numbered paragraph
4 184 of the Second Amended Complaint.

5 185. Defendants deny each and every allegation contained in this numbered paragraph
6 185 of the Second Amended Complaint.

7 186. Defendants deny each and every allegation contained in this numbered paragraph
8 186 of the Second Amended Complaint.

9 187. Defendants deny each and every allegation contained in this numbered paragraph
10 187 of the Second Amended Complaint.

11 188. Defendants deny each and every allegation contained in this numbered paragraph
12 188 of the Second Amended Complaint.

13 189. Defendants deny each and every allegation contained in this numbered paragraph
14 189 of the Second Amended Complaint.

15 **TENTH CAUSE OF ACTION**

16 **(Injunctive Relief Against All Defendants)**

17 Defendants adopt and reallege their responses to paragraphs 1 through 189 of the Second
18 Amended Complaint.

19 190. Defendants deny each and every allegation contained in this numbered paragraph
20 190 of the Second Amended Complaint.

21 191. Defendants deny each and every allegation contained in this numbered paragraph
22 191 of the Second Amended Complaint.

23
24 **PRAYER FOR RELIEF**

25 Defendants deny the allegations contained in the Prayer For Relief section of the Second
26 Amended Complaint. Defendants further deny that Plaintiffs are entitled to judgment against any
27 or all of the Defendants or to any relief whatsoever.
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FIRST AFFIRMATIVE DEFENSE

(Failure to State a Claim)

1. The Second Amended Complaint, and each and every purported cause of action therein asserted against Defendants, fails to state facts sufficient to constitute a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

(Waiver)

2. Plaintiffs' claims are barred, in whole or in part, by the doctrine of waiver.

THIRD AFFIRMATIVE DEFENSE

(Estoppel)

3. Plaintiffs' claims are barred, in whole or in part, by the doctrine of estoppel.

FOURTH AFFIRMATIVE DEFENSE

(Release)

4. Plaintiffs' claims are barred, in whole or in part, on the grounds and to the extent that they released their claims.

FIFTH AFFIRMATIVE DEFENSE

(Assumption of Risk)

5. Plaintiffs' claims are barred, in whole or in part, due to the Plaintiffs' voluntary assumption of risk.

SIXTH AFFIRMATIVE DEFENSE

(Unclean Hands)

6. Plaintiffs' claims are barred, in whole or in part, by the doctrine of unclean hands.

SEVENTH AFFIRMATIVE DEFENSE

(Contributory and/or Comparative Negligence)

7. Plaintiffs' claims are barred, in whole or in part, by the doctrines of contributory and/or comparative negligence. Any alleged damages must be reduced in direct proportion to the percentage of fault attributable to others, including but not limited to Plaintiffs and third parties.

1 **EIGHTH AFFIRMATIVE DEFENSE**

2 (Intervening or Superseding Causation)

3 8. Plaintiffs' claims are barred, in whole or in part, by the doctrine of intervening or
4 superseding causation.

5 **NINTH AFFIRMATIVE DEFENSE**

6 (In Pari Delicto)

7 9. Plaintiffs' claims are barred, in whole or in part, by the doctrine of *in pari delicto*.

8 **TENTH AFFIRMATIVE DEFENSE**

9 (Failure to Mitigate)

10 10. Plaintiffs' claims are barred, in whole or in part, as a result of Plaintiffs' failure to
11 mitigate their alleged damages, negligence and/or failure to exercise reasonable care and diligence.

12 **ELEVENTH AFFIRMATIVE DEFENSE**

13 (Speculative Damages)

14 11. Plaintiffs' claims are barred, in whole or in part, because their alleged damages, if
15 any, are speculative.

16 **TWELFTH AFFIRMATIVE DEFENSE**

17 (Set-Off)

18 12. Plaintiffs' claims are barred, in whole or in part, by the doctrine of set-off.

19 **THIRTEENTH AFFIRMATIVE DEFENSE**

20 (Lack of Standing)

21 13. Plaintiffs' claims are barred, in whole or in part, on the grounds and to the extent that
22 they lack standing to assert their claims.

23 **FOURTEENTH AFFIRMATIVE DEFENSE**

24 (Failure to Allege Class Action and/or to Meet Class Action Requirements)

25 14. Plaintiffs' claims are barred, in whole or in part, on the grounds and to the extent that
26 they have failed to allege a representative action as a class action and/or to meet the requirements of
27 a class action.

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FIFTEENTH AFFIRMATIVE DEFENSE

(Abstention)

15. Plaintiffs' claims are barred, in whole or in part, by the doctrine of abstention.

SIXTEENTH AFFIRMATIVE DEFENSE

(Punitive and Exemplary Damages Barred by Due Process Clause)

16. Plaintiffs' claims for punitive and exemplary damages against Defendants are barred by the Due Process Clause of the United States Constitution.

SEVENTEENTH AFFIRMATIVE DEFENSE

(Conduct Not "Unlawful")

17. Plaintiffs' claims are barred, in whole or in part, on the grounds and to the extent that Defendants have complied with applicable statutes, ordinances and/or regulations.

EIGHTEENTH AFFIRMATIVE DEFENSE

(Conduct Not "Fraudulent" Nor "Likely to Mislead")

18. Plaintiffs' claims are barred, in whole or in part, on the grounds and to the extent that Defendants' conduct was neither fraudulent nor likely to mislead the public.

NINETEENTH AFFIRMATIVE DEFENSE

(Regulatory Approval)

19. Plaintiffs' claims are barred, in whole or in part, on the grounds and to the extent that Defendants received regulatory approval for their conduct.

TWENTIETH AFFIRMATIVE DEFENSE

(Additional Affirmative Defenses)

20. Defendants reserve their right to assert additional affirmative defenses upon revelation of more definitive facts, and/or upon discovery and investigation in this matter.

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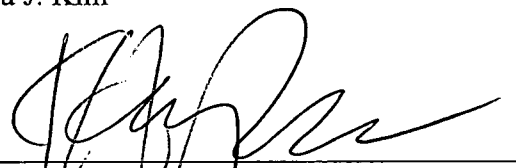
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WHEREFORE, Defendants pray as follows:

1. That Plaintiffs take nothing by their Second Amended Complaint;
2. For Defendants' attorneys' fees and costs; and
2. For such other and further relief as the Court deems just and proper.

DATED: February 26, 2016

TISDALE & NICHOLSON, LLP
Kevin D. Hughes
Linda J. Kim

By: 
Kevin D. Hughes
Attorneys for Defendants

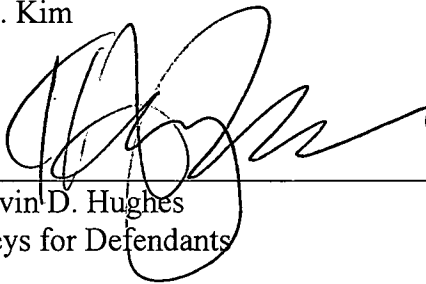
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JURY DEMAND

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2 Defendants respectfully request a jury trial on all issues raised in the Second Amended
3 Complaint.
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5
6 DATED: February 26, 2016

TISDALE & NICHOLSON, LLP
Kevin D. Hughes
Linda J. Kim

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9 By: 
10 Kevin D. Hughes
11 Attorneys for Defendants
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1 VERIFICATION

2

3 STATE OF CALIFORNIA) ss
4 COUNTY OF LOS ANGELES)

5

6 I have read the foregoing ANSWER TO VERIFIED SECOND AMENDED
7 COMPLAINT and know its contents.

7

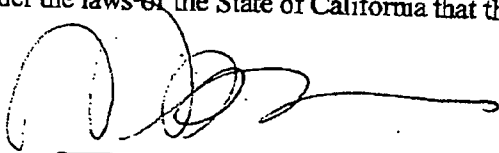
8 XX I am a party to this action. The matters stated in the foregoing document are true of
9 my own knowledge except as to those matters which are stated on information and
10 belief, and as to those matters I believe them to be true.

11 I am ___ an officer ___ of a party to this action, and am authorized to make this
12 verification for and on its behalf, and I make this verification for that reason. I am
13 informed and believe and on that ground allege that the matters stated in the
14 foregoing document are true. The matters stated in the foregoing document are
15 true of my own knowledge except as to those matters which are stated on
16 information and belief, and as to those matters I believe them to be true.

17 I am one of the attorneys for _____, a party to this action. Such party is
18 absent from the county of aforesaid where such attorneys have their offices, and I
19 make this verification for and on behalf of that party for that reason. I am informed
20 and believe and on that ground allege that the matters stated in the foregoing
21 document are true.

22 Executed on February 29, 2016, at Los Angeles, California.

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



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Melissa Bacelar

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VERIFICATION

STATE OF CALIFORNIA) ss
COUNTY OF LOS ANGELES)

I have read the foregoing ANSWER TO VERIFIED SECOND AMENDED COMPLAINT and know its contents.

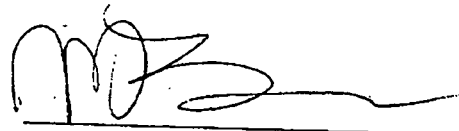
I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

XX I am XX an officer of The Wylder Foundation, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. X I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for _____, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on February 29, 2016, at Los Angeles, California.

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



Melissa Bacelar

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VERIFICATION

STATE OF CALIFORNIA) ss
COUNTY OF LOS ANGELES)

I have read the foregoing ANSWER TO VERIFIED SECOND AMENDED COMPLAINT and know its contents.

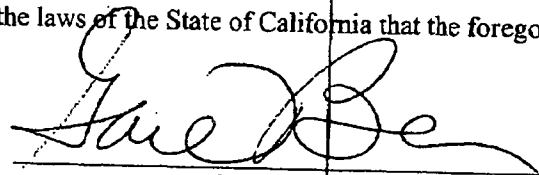
_____ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

XX I am XX an officer or owner of WYLDER'S SWEET SHOP, LLC, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. X I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

_____ I am one of the attorneys for _____, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on February __, 2016, at Los Angeles, California.

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



Gail Bacelar

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STATE OF CALIFORNIA) ss
COUNTY OF LOS ANGELES)

I have read the foregoing ANSWER TO VERIFIED SECOND AMENDED COMPLAINT and know its contents.

_____ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

XX I am XX an officer of Wylder's Holistic Pet Center, Inc., a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. X I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ___ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

_____ I am one of the attorneys for _____, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on February 29, 2016, at Los Angeles, California.

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



Melissa Bacelar

PROOF OF SERVICE

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

I am employed in the aforesaid County, State of California; I am over the age of 18 years and not a party to the within action; my business address is 2029 Century Park East, Suite 900, Los Angeles, California 90067.

On February 29, 2016, I served the foregoing documents known as **ANSWER TO VERIFIED SECOND AMENDED COMPLAINT** on interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

Kimberly A. Wright Attorneys for
Law Office of Kimberly A. Wright Plaintiffs
120 Tustin Ave., C-1033
Newport Beach, CA 92663

Jill L. Ryther, Esq. Attorneys for
Ryther Law Group Plaintiffs
8550 West Sunset Blvd., Suite #500
West Hollywood, CA 90069

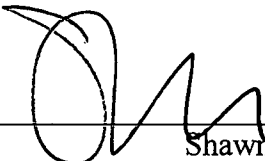
Mathew K. Higbee, Esq. Attorneys for
Higbee & Associates Plaintiffs
1504 Brookhollow Dr., Suite #112
Santa Ana, CA 92705

X BY MAIL

X As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on February 29, 2016, at Los Angeles, California.


Shawn Sato