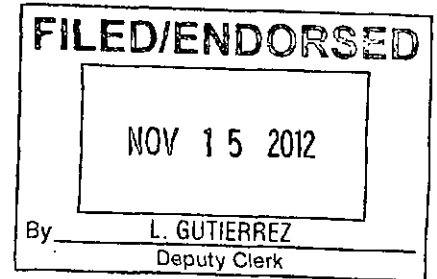


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7  
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF SACRAMENTO  
10

11 THE NATIONAL GRANGE OF THE ORDER  
OF PATRONS OF HUSBANDRY, a  
12 Washington, D.C., nonprofit corporation,

13 Plaintiff,

14 v.

15 THE CALIFORNIA STATE GRANGE, a  
California nonprofit corporation, and ROBERT  
16 MCFARLAND, JOHN LUVAAS, GERALD  
CHERNOFF, and DAMINA PARR,  
17

18 Defendants.

Case No.: 34-2012-00130439

**DEFENDANT ROBERT MCFARLAND'S  
ANSWER TO PLAINTIFF'S COMPLAINT**

19 Defendant Robert McFarland, hereby answers the Complaint for Declaratory Judgment and  
20 Injunction as follows:

21 **GENERAL DENIAL**

22 Defendant Robert McFarland generally denies each and every allegation set forth in complaint  
23 pursuant to California Code of Civil Procedure section 431.30(d), and defendant further generally  
24 denies that plaintiff has sustained any injury, damage, or loss by reason of any act or omission on part  
25 of defendants. In addition, without admitting any allegations contained in the complaint, defendants  
26 assert the following affirmative defenses based on information and belief:

27 ///

28 ///

1                                    FIRST AFFIRMATIVE DEFENSE

2            The complaint, and each cause of action, fails to state a claim upon which relief can be granted.

3                                    SECOND AFFIRMATIVE DEFENSE

4            The complaint, in whole or in part, is barred by the applicable statute of limitations.

5                                    THIRD AFFIRMATIVE DEFENSE

6            The complaint, and each cause of action, must fail against defendant, because defendant was  
7 fulfilling his duty as provided by law.

8                                    FOURTH AFFIRMATIVE DEFENSE

9            To the extent the complaint asks the court to rewrite various statutes, this court has no  
10 jurisdiction.

11                                   FIFTH AFFIRMATIVE DEFENSE

12           The complaint, and each cause of action, must fail because plaintiff cannot establish the  
13 requisite elements and circumstances necessary to succeed on its claim.

14                                   SIXTH AFFIRMATIVE DEFENSE

15           The complaint, and each cause of action, is barred because plaintiffs have not suffered  
16 irreparable injury and are unlikely to succeed on the merits.

17                                   SEVENTH AFFIRMATIVE DEFENSE

18           The complaint, and each cause of action is barred by the doctrines of estoppel, laches, and/or  
19 waiver.

20                                   EIGHTH AFFIRMATIVE DEFENSE

21           No relief may be obtained under the complaint by reason of the plaintiff's failure to do equity  
22 in the matters alleged in the complaint and cross-complaint filed within.

23                                   NINTH AFFIRMATIVE DEFENSE

24           No relief may be obtained under the complaint based on the doctrine of unclean hands.

25                                   TENTH AFFIRMATIVE DEFENSE

26           No relief may be obtained under the complaint based on the doctrine of waiver.

27                                   ELEVENTH AFFIRMATIVE DEFENSE

28           Plaintiff is barred by laches in proceeding in this action against defendant.

1 TWELFTH AFFIRMATIVE DEFENSE

2 By conduct, representations and omissions as more fully alleged in the cross-claim filed  
3 herewith and incorporated herein, plaintiff is equitably estopped to assert, any claim for relief against  
4 this defendant respecting the matters which are the subject of the complaint.

5 THIRTEENTH AFFIRMATIVE DEFENSE

6 Plaintiff is not entitled to attorneys' fees.

7 PRAYER FOR RELIEF

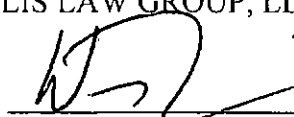
8 WHEREFORE, defendants pray as follows:

- 9 a. That the court enter judgment in favor of defendant;  
10 b. That plaintiff take nothing by its complaint;  
11 c. That the court award defendant his costs and attorneys' fees incurred in connection with  
12 this action; and  
13 d. For such other and further relief as the court deems just and proper.

14 Dated: November 15, 2012

15 ELLIS LAW GROUP, LLP

16 By



17 William A. Lapcevic  
18 Attorney for Defendant ROBERT MCFARLAND  
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27  
28

CERTIFICATE OF SERVICE

I, Maria Gutierrez, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 740 University Avenue, Suite 100, Sacramento, CA 95825.

On November 15, 2012, I served the following document(s) on the parties in the within action:

**DEFENDANT ROBERT MCFARLAND'S ANSWER TO PLAINTIFF'S COMPLAINT**

X	<b>BY MAIL:</b> I am familiar with the business practice for collection and processing of mail. The above-described document(s) will be enclosed in a sealed envelope, with first class postage thereon fully prepaid, and deposited with the United States Postal Service at Sacramento, CA on this date, addressed as follows:
	<b>BY HAND:</b> The above-described document(s) will be placed in a sealed envelope which will be hand-delivered on this same date by _____, addressed as follows:
	<b>VIA OVERNIGHT SERVICE:</b> The above-described document(s) will be delivered by overnight service, to the following:
Martin Jensen Thomas Riordan Porter Scott 350 University Avenue Suite 200 Sacramento, CA 95825	Attorneys for PLAINTIFF THE NATIONAL GRANGE OF THE ORDER OF PATRONS OF HUSBANDRY
Robert Swanson Daniel Stouder BOUTIN JONES, INC. 555 Capitol Mall Suite 1500 Sacramento, CA 95814	Attorneys for DEFENDANT THE CALIFORNIA STATE GRANGE

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on November 15, 2012.

By:

Maria Gutierrez

