

CAUSE NO. 471-03472-2022

HENRY MISHKOFF
Plaintiff

v.

T. CHASE GARRETT,
SCHEEF & STONE, LLP, and
SONIA BRYANT
Defendants.

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IN THE DISTRICT COURT

471ST JUDICIAL DISTRICT

COLLIN COUNTY, TEXAS

DEFENDANTS' ORIGINAL ANSWER

Defendants T. Chase Garrett, Scheef & Stone, LLP and Sonia Bryant (collectively "Defendants") now file this Original Answer, and in support thereof, would respectfully show the Court as follows:

I.
GENERAL DENIAL

Pursuant to Rule 92 of the TEXAS RULES OF CIVIL PROCEDURE, Defendants generally deny each and every material allegation in Plaintiff's Original Petition and demand strict proof thereof by a preponderance of the evidence.

II.
AFFIRMATIVE DEFENSES

For further answer, should such be necessary, Defendants assert the following affirmative defenses:

- a. Plaintiff's claims are barred, in whole or in part, by the affirmative defense of truth;
- b. Plaintiff's claims are barred, in whole or in part, because alleged statement made by Defendants was a statement of opinion;

- c. Without conceding that he has suffered any damages, Plaintiff's claims are barred, in whole or in part, because he failed to mitigate, minimize, or avoid any damages allegedly sustained;
- d. Plaintiff's claims are barred, in whole or in part, by the affirmative defense of consent;
- e. Plaintiff's claims are barred, in whole or in part, by the judicial proceedings privilege;
- f. Plaintiff's claims are barred, in whole or in part, by the affirmative defense of unclean hands;
- g. Plaintiff's claims are barred, in whole or in part, because any alleged statements made by Defendants are protected by the First Amendment, United States Constitution;
- h. Plaintiff's claims are barred, in whole or in part, by attorney immunity;
- i. Plaintiff's claims are barred, in whole or in part, to the extent that they violate the Texas Citizens Participation Act;
- j. Plaintiff's claims are barred, in whole or in part, because he seeks damages that are too remote, contingent, speculative, or conjectural;
- k. Plaintiff's claims are barred, in whole or in part, because not all conditions precedent have occurred or have been performed;

III.
PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendants pray that upon trial or other final disposition of this action, Plaintiff take nothing from Defendants,

Defendants recover their reasonable and necessary attorneys' fees and costs, and Defendants be granted such other and further relief to which Defendants may be justly entitled.

Respectfully submitted,

SCHEEF & STONE, LLP

/s/ T. Chase Garrett

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on July 12, 2022, a true and correct copy of the foregoing was sent to all parties who have made an appearance or their attorney of record in accordance with Texas Rules of Civil Procedure 21 and 21a.

/s/ 7. Chase Garrett