

IN THE CIRCUIT COURT OF COLBERT COUNTY, ALABAMA

JOHN R. BENN,

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Plaintiff,

*

v.

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Case Number: CV-2002-184

ROBERT NOVAK,

*

Defendant.

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DEFENDANT'S ANSWERS TO PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS

COMES NOW The Plaintiff and propounds the following Request for Admissions to Defendant Robert Novak:

1. Admit that as of November 28, 2001 at 1:05 pm the Alabama State Bar Association had not received any complaint involving Plaintiff.

Answer: Defendant does not have any information that satisfies this request. I am not affiliated with that association.

2. Admit that as of May 1, 2002 there was no complaint pending against Plaintiff with the Alabama State Bar.

Answer: Defendant denies that statement; upon information and belief a complaint was filed in November 2001.

3. Admit that User ID "jackpetsw" with User Name "Jack" joined the Aquaria/Fish Forum on August 7, 2001 using the e-mail address of "PW@petswarehouse.com".

Answer: Defendant does not have any information that satisfies this request.

4. Admit that User ID "jackpetsw" with User Name "Jack" using the e-mail address "PW@petswarehouse.com" posted the Forum message made the subject of this lawsuit.

Answer: Defendant does not have any information that satisfies this request.

5. Admit that Defendant has never had an attorney-client relationship with Plaintiff.

Answer: Admitted

6. Admit that other than the present lawsuit, Plaintiff has never appeared as an attorney of record in any litigation in which Defendant was a participant.

Answer: Defendant does not have any information that satisfies his request.

7. Admit that Defendant had no valid factual basis for making any complaint of unethical conduct against Plaintiff.

Answer: Denies that statement.

8. Admit that Defendant has claimed that Petswarehouse.com is the world's largest online Pet Store.

Answer: Admit.