

JUN 20 2016 PM 2:47

PLD-050

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Kenneth H. Stone, Esq., SBN: 84836 THE STONE LAW GROUP 624 Broadway, Suite 303 San Diego, CA 92101 TELEPHONE NO.: (619) 233-1818 FAX NO. (Optional): (619) 233-3256 E-MAIL ADDRESS (Optional): khstone@hotmail.com ATTORNEY FOR (Name): Defendant, Empire Stock Transfer, Inc.	FOR COURT USE ONLY FILED CIVIL BUSINESS OFFICE CENTRAL DIVISION 16 JUN 20 PM 3:38 CLERK-SUPERIOR COURT SAN DIEGO COUNTY, CA FILED Clerk of the Superior Court JUN 20 2016 CASE NUMBER: 37-2015-00008210-CU-NP-CTL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 330 West Broadway MAILING ADDRESS: 330 West Broadway CITY AND ZIP CODE: San Diego, CA 92101 BRANCH NAME: Central	
PLAINTIFF/PETITIONER: George Sharp DEFENDANT/RESPONDENT: Empire Stock Transfer, Inc.	
GENERAL DENIAL	

If you want to file a general denial, you **MUST** use this form if the amount asked for in the complaint or the value of the property involved is \$1,000 or less.

You **MAY** use this form for a general denial if:

1. The complaint is not verified; *or*
2. The complaint is verified and the case is a limited civil case (the amount in controversy is \$25,000 or less), **BUT NOT** if the complaint involves a claim for more than \$1,000 that has been assigned to a third party for collection.

(See Code of Civil Procedure sections 85-86, 90-100, 431.30, and 431.40.)

1. DEFENDANT (name): Empire Stock Transfer, Inc.
generally denies each and every allegation of plaintiff's complaint.
2. DEFENDANT states the following FACTS as separate affirmative defenses to plaintiff's complaint (attach additional pages if necessary):

SEE ATTACHMENT "A"

Date: June 20, 2016

Kenneth H. Stone, Esq.

(TYPE OR PRINT NAME)



(SIGNATURE OF DEFENDANT OR ATTORNEY)

If you have a claim for damages or other relief against the plaintiff, the law may require you to state your claim in a special pleading called a cross-complaint or you may lose your right to bring the claim. (See Code of Civil Procedure sections 426.10-426.40.)

The original of this *General Denial* must be filed with the clerk of this court with proof that a copy was served on each plaintiff's attorney and on each plaintiff not represented by an attorney. There are two main ways to serve this *General Denial*: by personal delivery or by mail. It may be served by anyone at least 18 years of age EXCEPT you or any other party to this legal action. Be sure that whoever serves the *General Denial* fills out and signs a proof of service. You may use the applicable Judicial Council form (such as form POS-020, POS-030, or POS-040) for the proof of service.

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ATTACHMENT A

DEFENDANT EMPIRE STOCK TRANSFER, INC.'S, AFFIRMATIVE DEFENSES TO COMPLAINT OF GEORGE SHARP (CASE NO. 37-2015-00008210-CU-NP-CTL)

**First Affirmative Defense
(Failure to State Facts)**

1. The Complaint fails to state facts sufficient to constitute a cause of action against this answering Defendant.

**Second Affirmative Defense
(Failure to State a Claim)**

2. Plaintiff's Complaint fails to state a claim upon which relief can be granted against this answering Defendant.

**Third Affirmative Defense
(Failure to Mitigate)**

3. Plaintiff failed to take the necessary steps to mitigate damages.

**Fourth Affirmative Defense
(Lack of Standing)**

4. Plaintiff lacks standing to bring this claim against this answering defendant because Plaintiff failed to assert the number of recipients as defined in Cal. Bus. & Prof. Code §17529.1(m) by identifying the number of e-mail addresses which received the alleged emails.

**Fifth Affirmative Defense
(Uncertainty)**

5. Plaintiff's claims are uncertain, ambiguous and unintelligible.

**Sixth Affirmative Defense
(Damages Sought are Penal in Nature)**

6. The damages sought by Plaintiff are penal in nature.

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**Seventh Affirmative Defense
(Statute of Limitations)**

7. The Complaint, to the extent it seeks a statutory penalty and/or liquidated damages is barred by the provisions of California Code of Civil Procedure §340(a).

THE STONE LAW GROUP

Dated: June 22, 2016



KENNETH H. STONE, ESQ.
Attorneys for Defendant
EMPIRE STOCK TRANSFER, INC.

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4 624 Broadway, Suite 303
5 San Diego, CA 92101
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9 Attorney for DEFENDANT
10 TIGER OIL AND ENERGY, INC.

FILED
CIVIL BUSINESS OFFICE
CENTRAL DIVISION

16 JUN 20 PM 3:30

CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **COUNTY OF SAN DIEGO, CENTRAL DIVISION**

13 GEORGE SHARP,

14 Plaintiff,

15 vs.

16 STOCKTIPS.COM; AMERADACORP.,
17 LALUNA SERVICES, INC., ECRYPT
18 TECHNOLOGIES, INC., ALKAME
19 HOLDINGS, INC., WELL POWER, INC.,
20 TIGER OIL AND ENERGY, INC., and
21 DOES 1 through 500, Inclusive,

22 Defendants.

CASE NO.37-2015-00008210-CU-NP-CTL

PROOF OF SERVICE

[IMAGED FILE]

Dept.: C-72
I/C Judge: Hon. Timothy Taylor
Complaint Filed: March 11, 2015
Trial Date: None Set

23 I am, and was at the time of service of the papers herein referred to, over the age of eighteen
24 years, and not a party to the action; and I am employed in the County of San Diego, California,
25 within which county the subject mailing occurred. My business address is 624 Broadway, Suite
26 303, San Diego, California 92101. On June 20, 2016, I served the following documents:

27 • **EMPIRE STOCK TRANSFER, INC. GENERAL DENIAL**

28 **By Mail:** by placing the document(s) listed above in a sealed envelope with postage thereon
fully prepaid, in the United States mail at San Diego, California, addressed as set forth
below.

George Sharp
3525 Del Mar Heights Road, #620
San Diego, CA 92130
(310) 498-4455
(619) 446-6717 Fax

Plaintiff in Pro Per


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Robert J. Huston, III, Esq.
10 Jetty Drive
Corona Del Mar, CA 92625
T: (949) 230-0259

Attorney for Defendant, Coastal Integrated Services, Inc.

I am readily familiar with our business' practice for collecting, processing and mailing correspondence and pleadings, for personal delivery, for mailing with United States Postal Service, for facsimile, and for overnight delivery by Federal Express, Express Mail, or other overnight service.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on June 20, 2016, at San Diego, California.



Alma R. Quezada