

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

BENJAMIN RADFORD,

Plaintiff,

v.

No. 1:14-CV-02620-JLK

KAREN STOLLZNOW,

Defendant.

DEFENDANT KAREN STOLLZNOW'S ANSWER

Defendant Karen Stollznaw (“Defendant”), by and through her attorneys of record, Allen, Shepherd, Lewis & Syra, P.A., hereby submits her Answer to Plaintiff Benjamin Radford’s Amended Complaint for Defamation, Fraud, and Interference with Beneficial Contractual Relations (“Complaint”). All allegations not explicitly admitted herein are hereby expressly denied.

1. Defendant denies the allegations in Paragraph 1 of the Complaint and demands strict proof thereof.

2. Defendant denies the allegations in Paragraph 2 of the Complaint and demands strict proof thereof.

3. Defendant admits the allegation in Paragraph 3 of the Complaint that she had a sexual relationship with Plaintiff in 2008. Defendant denies the allegations in Paragraph 3 of the Complaint that she initiated the sexual relationship in 2008 and also denies that it lasted into 2010, and demands strict proof thereof. Defendant admits the allegation that Plaintiff and she had sex while she was in New Mexico in 2008. Defendant denies the remaining allegations in Paragraph 3 of the Complaint and demands strict proof thereof.

4. Defendant denies the allegations in Paragraph 4 of the Complaint to the extent it suggests that a sexual relationship between Defendant and Plaintiff continued past 2008, and therefore, demands strict proof thereof. Defendant admits the allegation in Paragraph 4 of the Complaint that Plaintiff and she had a professional relationship until early January 2013. However, Defendant denies the allegations in Paragraph 4 of the Complaint that her friendship with Plaintiff continued until early 2013 and demands strict proof thereof. Defendant admits the allegation in Paragraph 4 of the Complaint that she spoke with Plaintiff's employer in early 2013 and admits writing a "guest blog" on the Scientific American website, but denies the allegations that she made sudden, false, and malicious statements about Plaintiff, and demands strict proof thereof. Defendant admits that the blog post included the following sentence: "I was sexually harassed for four years." Defendant admits that the blog post included the following sentence: "This is where the psychological abuse turned physical and he sexually assaulted me on several occasions." Defendant denies the allegation that Radford was explicitly referenced in the blog post and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 4 of the Complaint and demands strict proof thereof.

5. Defendant denies the allegations in Paragraph 5 of the Complaint and demands strict proof thereof.

6. Defendant denies the allegations in Paragraph 6 of the Complaint and demands strict proof thereof.

7. Defendant is without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 7 of the Complaint and therefore denies the same and demands strict proof thereof.

8. Defendant denies the allegations in Paragraph 8 of the Complaint and demands strict proof thereof.

9. Defendant admits the allegation in Paragraph 9 of the Complaint that Plaintiff and her have both been involved in the “skeptics” movement for years. Defendant is without sufficient knowledge or information to admit or deny whether Plaintiff or she are considered “prominent figures in the ‘skeptics’ movement,” and therefore denies the same and demands strict proof thereof. The remaining statements in Paragraph 9 of the Complaint are not allegations directed at Stollznow; therefore, no response is required. To the extent a response is required, Defendant denies the remaining allegations contained in Paragraph 9 and demands strict proof thereof.

10. Defendant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 10 of the Complaint and therefore denies the same and demands strict proof thereof.

11. Defendant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 11 of the Complaint and therefore denies the same and demands strict proof thereof.

12. Defendant is without sufficient knowledge of information to admit or deny the allegations in Paragraph 12 of the Complaint and therefore denies the same and demands strict proof thereof.

13. Defendant denies the allegations in Paragraph 13 of the Complaint that she made “false allegations of sexual harassment—not to mention of stalking and sexual assault,” and demands strict proof thereof. Defendant also denies the allegations in Paragraph 13 of the Complaint that she caused damages and denies that she is liable for any of Plaintiff’s alleged

damages, and therefore, demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the remaining allegations in Paragraph 13 of the Complaint and therefore denies the same and demands strict proof thereof.

14. In response to Paragraph 14 of the Complaint, Defendant admits that Plaintiff and Defendant appeared on a voluntary podcast together and that they were occasionally on the same panel at “skeptics” conventions. Defendant further admits that Plaintiff and she had sex in 2008, once in September 2008 over a Labor Day weekend in Atlanta, Georgia and another time in November 2008 while Defendant was in New Mexico, but denies any other consensual sexual relationship beyond that and demands strict proof thereof. Defendant denies that they only became professional colleagues in 2009, and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 14 of the Complaint and demands strict proof thereof.

15. In response to Paragraph 15 of the Complaint, Defendant denies Plaintiff’s allegations regarding an encounter in a Las Vegas, Nevada hotel room, and demands strict proof thereof. Defendant admits the allegations in Paragraph 15 of the Complaint that she tried to maintain a professional relationship with Plaintiff, admits appearing on panels together at “skeptics” conferences, and admits to appearing on a voluntary podcast together. Defendant denies the remaining allegations contained in Paragraph 15 of the Complaint and demands strict proof thereof.

16. Defendant denies the allegations contained in Paragraph 16 of Plaintiff’s Complaint and demands strict proof thereof.

17. In response to the allegations of Paragraph 17 of the Complaint, Defendant admits she contacted Radford’s employer about Plaintiff’s conduct towards her. Defendant further admits that she talked with her own employer about Plaintiff’s conduct towards her because she

was concerned for her own safety. Defendant further admits that she talked with another conference president about Plaintiff's conduct towards her because she was concerned for her own safety. Defendant denies the allegations in Paragraph 17 that any of her statements about Plaintiff's conduct towards her were false and defamatory, and demands strict proof thereof. Defendant denies the remaining allegations of Paragraph 17 of the Complaint and demands strict proof thereof.

18. Defendant denies the allegations in Paragraph 18 of Plaintiff's Complaint that she made defamatory communications to Radford's employer, CFI, and therefore, Defendant demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the remaining allegations in Paragraph 18 of Plaintiff's Complaint and therefore denies the same and demands strict proof thereof.

19. In response to the allegations in Paragraph 19 of the Complaint, Defendant is without sufficient knowledge or information to admit or deny what information was ultimately considered by CFI and the basis for CFI's "determination," and therefore, denies the same and demands strict proof thereof. Defendant admits the allegation that she provided e-mails to CFI's investigator. Defendant denies the allegations in Paragraph 19 that she "altered dates [of the e-mails] to make it appear that Radford had sent them two years later than he had," and demands strict proof thereof. Defendant further denies the allegations in Paragraph 19 that she falsified e-mails, messages, or information and denies that she made false statements or provided false information to CFI in order to "persuade CFI's investigator that Radford had been sexually harassing her 'for years,'" to "make it appear that Radford had sent them in 2012," and demands strict proof thereof. Defendant denies the allegation that Plaintiff's and her "sexual relationship" continued past 2008 and into 2010, and demands strict proof thereof. Defendant denies the

allegation in Paragraph 19 of the Complaint that Plaintiff and Defendant had a consensual sexual encounter in 2010, and demands strict proof thereof. Defendant admits that one of the e-mails she provided to CFI was a July 26, 2010 e-mail from Plaintiff to Defendant in which Plaintiff wrote, “Just got back from a quick jog, and for some reason I wondered: Do you really feel that you have more in common with Baxter than with me?” However, Defendant denies the allegation that she “altered the date to make it appear that Radford had sent it on July 26, 2012,” and demands strict proof thereof. Defendant denies the allegation in Paragraph 19 of the Complaint that she “falsified at least a half-dozen such messages to wrongly incriminate Radford,” and demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the allegations that CFI found only two other allegations credible and therefore denies the same and demands strict proof thereof. Defendant further denies the allegations in Paragraph 19 of the Complaint to the extent that they do not fully describe Plaintiff’s conduct in a Las Vegas Hotel, and demand strict proof thereof. Defendant admits that Radford blocked her exit from a room, tried to kiss her, and also grabbed her arm. Defendant denies the allegation that her statements regarding the encounter were false, and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 19 of the Complaint and demands strict proof thereof.

20. In response to Paragraph 20, Defendant is without sufficient knowledge or information regarding CFI’s investigative findings or the basis of CFI’s findings and therefore denies the same and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 20 of Plaintiff’s Complaint and demands strict proof thereof.

21. In response to Paragraph 21, Defendant is without sufficient knowledge or information on whether “CFI had largely rejected Stollznow’s allegations against Radford, and

had ‘only’ suspended Radford for two weeks,” and therefore, Defendant denies the same and demands strict proof thereof. Defendant denies the allegations in Paragraph 21 of the Complaint that she “went public with her false allegations,” and demands strict proof thereof. Defendant admits the allegation in Paragraph 21 of the Complaint that “[o]n August 6, 2013, [she] published a ‘guest blog’” on the Scientific American web site entitled “I’m Sick of Talking about Sexual Harassment!” Defendant admits the allegation that Defendant did not name Plaintiff in the blog post. Defendant admits that the blog post includes the following sentence: “This man is a predator who collects girls of a certain ‘type.’ His targets are chubby, shy, lonely, and insecure, just like I used to be.” Defendant admits that the blog post includes the following sentence: “It was an obsession.” Defendant admits that the blog post states that she was “stalked and harassed,” and that “[f]rom late 2009 onwards [she] made repeated requests for his personal communication to cease but these were ignored.” Defendant admits that the blog post includes the following sentence: “Then, he saw me at conferences and took every opportunity to place me in a vulnerable position. This is where the psychological abuse turned physical and he sexually assaulted me on several occasions.” Defendant is without sufficient knowledge or information to admit or deny Plaintiff’s allegations about e-mails and communications he received following the posting of the aforementioned blog and therefore denies the same and demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny Plaintiff’s allegations in Paragraph 21 of the Complaint about who read the blog post, who made comments about the blog post, those person’s reactions to the blog post, and who they believed to be the subject of the blog post, and therefore, denies the same and demands strict proof thereof. Defendant denies the allegations in Paragraph 21 of the Complaint that “she made sure that it was known by confirming to several prominent bloggers that Radford was the person she was

accusing,” and demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the content of any twitter posting and therefore denies the same and demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the allegation that this tweet was retweeted “32 times to nearly 50,000 people,” and demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the allegations that other writers “repeated [her] claims” and “featured a blog about [her] claims,” and therefore denies the same and demands strict proof thereof. Defendant denies the remaining allegations contained in Paragraph 21 of the Complaint and demands strict proof thereof.

22. Defendant denies the allegations in Paragraph 22 of the Complaint that she made “false accusations” against Plaintiff and demand strict proof thereof. Defendant denies the allegations in Paragraph 22 of the Complaint that she caused damage to Plaintiff and denies that she is liable to Plaintiff for any harm he alleges, and demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the remaining allegations contained in Paragraph 22 of the Complaint and therefore denies the same and demands strict proof thereof.

23. Defendant denies the allegations contained in Paragraph 23 of the Complaint and demands strict proof thereof.

24. Defendant admits the allegation in Paragraph 24 of the Complaint that Plaintiff and Defendant met at a conference in Atlanta Georgia in September 2008, but denies the allegation that this was their first meeting and demands strict proof thereof. Defendant denies the remaining allegations contained in Paragraph 24 of the Complaint and demands strict proof thereof.

25. Defendant admits the allegations in Paragraph 25 of Complaint that on or around November 14, 2008, she “flew to Albuquerque, New Mexico for a three-day weekend, during which Stollznow and Radford engaged in sex.” Defendant further admits the allegation in Paragraph 25 of the Complaint that “Radford arranged for her to appear as a guest on a radio show in Albuquerque.” Defendant is without sufficient knowledge or information to admit or deny Plaintiff’s allegations in Paragraph 25 of the Complaint regarding his alleged motives for arranging for her to appear as a guest on a radio show in Albuquerque, and therefore, denies the same and demands strict proof thereof. Defendant denies the remaining allegations contained in Paragraph 25 of the Complaint and demands strict proof thereof.

26. Defendant denies the allegation in Paragraph 26 of the Complaint that “[o]ver the course of the next year and a half, Radford and Stollznow, who were both unmarried, met sporadically and engaged in sex,” and demands strict proof thereof. Defendant admits the allegation in Paragraph 26 that Plaintiff and Defendant lived in different states. Defendant admits the allegation in Paragraph 26 that there are e-mails between Plaintiff and Defendant, but denies the allegation that the “nature of their relationship is well documented in written correspondence,” and demands strict proof thereof. Defendant denies the allegation in Paragraph 26 of the Complaint that “their e-mails to each other, far from reflecting any sort of stalking, harassment, or abuse of Stollznow by Radford, reflect mutual engagement, romantic, friendly, and sexual attachment,” and demands strict proof thereof. Defendant denies the allegation in Paragraph 26 of the Complaint that the e-mail communications between Plaintiff and Defendant “provide a fairly full picture of their relationship,” and demands strict proof thereof. Defendant denies the allegation in Paragraph 26 that she made false accusations and denies that the e-mail

communications “demonstrate how outrageously false Stollznow’s accusations of ‘sexual harassment,’ ‘sexual assault,’ and ‘predation’ are,” and demands strict proof thereof.

a. Defendant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 26(a) of the Complaint and therefore denies the same and demands strict proof thereof.

b. Defendant is without sufficient knowledge of information to admit or deny the allegations in Paragraph 26(b) of the Complaint and therefore denies the same and demands strict proof thereof.

c. Defendant admits the allegation in Paragraph 26(c) of the Complaint that she emailed Plaintiff on August 24, 2009. Defendant denies the allegations in Paragraph 26(c) related to the content of the email, and therefore, Defendant demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 26(c) of the Complaint and demands strict proof thereof.

d. Defendant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 26(d) related to a September 17, 2009 Facebook email, and therefore denies the same and demands strict proof thereof. Defendant admits the allegation that around September 17, 2009, she ended her personal relationship with Plaintiff, but denies the allegation that it was only a “brief” end to the relationship and denies that any romantic or sexual relationship ever resumed, and demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 26(d) about Plaintiff’s feelings, and therefore, denies the same and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 26(d) of the Complaint and demands strict proof thereof.

e. Defendant admits the allegation in Paragraph 26(e) that her attitude toward her relationship with Plaintiff shifted and changed in late 2009 and thereafter, but denies that it was unpredictable and demands strict proof thereof. Defendant admits the allegation in Paragraph 26(e) that there are e-mail communications between Plaintiff and her between 2009 and 2012, but denies the allegation to the extent that Plaintiff is suggesting a romantic or sexual relationship persisted during this timeframe, and therefore, Defendant demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the remaining allegations in Paragraph 26(e) of the Complaint and therefore denies the same and demands strict proof thereof.

f. Defendant admits the allegation in Paragraph 26(f) of the Complaint that on December 19, 2009, she e-mailed Radford about Christmas gift: “Hi Ben, I received your presents – thank you very much. I hope you have a lovely Christmas and all the best for 2010.” Defendant denies the allegation that this email was a “typical friendly exchange” between Plaintiff and Radford, and therefore, demands strict proof thereof.

g. Defendant denies the allegations contained in Paragraph 26(g) of the Complaint and demands strict proof thereof.

h. Defendant admits the allegation in Paragraph 26(h) of the Complaint that on or around March 1, 2010 she e-mailed Radford. Defendant admits that among other statements, Defendant stated: “thank you for the dvd. Of course, I'll return it as soon as I've watched it.” Defendant admits that she also stated in the e-mail: “As for what's going on in my head, I think I was pretty upfront about that until the point where I realised my feelings weren't reciprocated. I'm not sure why we're going over this old territory yet again...” Defendant denies the remaining allegations in Paragraph 26(h) and demands strict proof thereof.

i. Defendant admits the allegations in Paragraph 26(i) of the Complaint related to the e-mails which were sent, but denies these allegations as Plaintiff mischaracterizes Defendant's intentions or meaning in the e-mails, and therefore, demands strict proof thereof.

j. Defendant denies the allegation in Paragraph 26(j) of the Complaint that she claimed her roommate was her husband, and demands strict proof thereof. Defendant further denies that she lived "nearby" San Francisco, and demands strict proof thereof. Defendant admits the remaining allegations in Paragraph 26(j) of the Complaint related to the text of the e-mails, but denies these allegations as Plaintiff mischaracterizes Defendant's intentions or meaning as found in the e-mails and demands strict proof thereof.

k. Defendant admits the allegations in Paragraph 26(k) of the Complaint that Plaintiff and she met for a function on April 16, 2010 in San Francisco, that Plaintiff and she went to dinner and to the hotel, and that she informed Plaintiff that she was engaged to be married. Defendant denies the allegations in Paragraph 26(k) that "she wanted to have sex with him anyway because she and her fiancé had an 'open relationship,'" and demands strict proof thereof. Defendant denies the allegations in Paragraph 26(k) of the Complaint that Plaintiff and she engaged in a consensual sexual encounter over the course of the night and demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the remaining allegations in Paragraph 26(k) of the Complaint and therefore denies the same and demands strict proof thereof.

l. Defendant denies the allegations in Paragraph 26(l) of the Complaint that she made false assertions of sexual harassment and sexual assault by Plaintiff and demands strict proof thereof. Defendant admits the allegation in Paragraph 26(l) that there were e-mails between Plaintiff and her in the 2010 timeframe, but denies this allegation to the extent Plaintiff

is alleging that his e-mails tell the whole story of Plaintiff's actions and conduct towards her, and further denies Plaintiff's characterization of the content of the e-mails, and therefore, demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the allegations as they relate to photographs and demands strict proof thereof. Defendant denies the remaining allegations contained in Paragraph 26(l) of the Complaint and demands strict proof thereof.

m. Defendant admits the allegation in Paragraph 26(m) of the Complaint that she e-mailed Plaintiff on April 18, 2010, and thanked him for "inviting [her] to that decadent event" and thanked him "for being a good friend." Defendant admits that her April 18, 2010 e-mail contained the following statement: "I apologise for dragging you into my bizzare situation, but I think we're all pleased with the outcome. I am curious to see what happens from here. Thank you most of all for being a good friend to me, and for your sage advice and sensitivity regarding my situation, career, and our past. I'm glad we sorted out our differences, and I promise I won't be a stranger from now on as we all move forward." However, Defendant denies Plaintiff's alleged interpretation of this statement, and therefore, demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 26(m) of the Complaint and demands strict proof thereof.

n. Defendant admits the allegations in Paragraph 26(n) of the Complaint related to the text of the e-mails, but denies these allegations as Plaintiff mischaracterizes Defendant's intentions or meaning as found in the e-mails and demands strict proof thereof.

o. Defendant admits the allegation in Paragraph 26(o) of the Complaint that she saw Plaintiff on July 11, 2010 at the TAM conference in Las Vegas, but denies Plaintiff's allegation that he only "momentarily stepped in front of" her "as she was leaving a conference room," and

demands strict proof thereof. Defendant further denies the allegation that it was only a “non-hostile argument,” and demands strict proof thereof. Defendant admits that Plaintiff made physical contact with her, including Plaintiff blocking her and Plaintiff grabbing her arm very tightly. Defendant denies the allegations in Paragraph 26(o) regarding Plaintiff’s characterization of his physical contact towards Defendant and demands strict proof thereof. Defendant further denies the allegations in Paragraph 26(o) regarding Plaintiff’s interpretation of how Defendant felt or should have felt about Plaintiff’s physical contact with her, and demands strict proof thereof. Defendant admits the allegation in Paragraph 26(o) that during the conference Plaintiff came to her room, but denies the implication that Plaintiff merely “suggested sex,” and denies any implication that any sexual conduct by Plaintiff was consensual and demands strict proof thereof. Defendant admits the allegation in Paragraph 26(o) that Defendant refused to have sex with Plaintiff, but denies Plaintiff’s allegation in this paragraph interpreting Defendant’s rationale for her refusal to have sex and demands strict proof thereof. Defendant denies the allegations in Paragraph 26(o) of the Complaint that the encounter was friendly and uneventful, and denies that the two parted company and remained on friendly terms and demands strict proof thereof. Defendant admits that she had to call hotel security, but denies the allegations in Paragraph 26(o) to the extent that Plaintiff alleges that her statements about calling hotel security were false or defamatory, and therefore, Defendant demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 26(o) of the Complaint and demands strict proof thereof.

p. Defendant admits the allegations in Paragraph 26(p) of the Complaint that on July 18, 2010, Plaintiff e-mailed to Defendant: “Hello Beautiful Hope you have a productive Sunday. Try to get some relaxing time in. Ben.” Defendant is without sufficient knowledge or

information to admit or deny the allegations with respect to a response e-mail allegedly made by her, and therefore, denies the same and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 26(p) of the Complaint and demands strict proof thereof.

q. Defendant admits the allegations in Paragraph 26(q) of the Complaint regarding the e-mail quotes referenced by Plaintiff, but denies these allegations to the extent that Plaintiff is suggesting that these are full quotes and denies these allegations as they mischaracterize the context of the communications between Plaintiff and Defendant and demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 26(q) on what Plaintiff assumed and therefore denies the same and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 26(q) of the Complaint and demands strict proof thereof.

r. Defendant admits the allegation in Paragraph 26(r) of the Complaint that Plaintiff and Defendant spoke on September 26, 2010 about a fight she had with Matthew Baxter. However, Defendant denies the remaining allegations contained in Paragraph 26(r) of the Complaint and demands strict proof thereof.

s. Defendant admits the allegations in Paragraph 26(s) of the Complaint that she e-mailed Plaintiff on September 26, 2010 following their telephone conversation, and admits the e-mail quotes referenced by Plaintiff in Paragraph 26(s). Defendant denies the remaining allegations contained in Paragraph 26(s) and demands strict proof thereof.

t. Defendant admits the allegations in Paragraph 26(t) of the Complaint that in October, 2010 she sent Plaintiff a birthday card stating; "Dear Ben, Wishing you a wonderful birthday! Have a lovely day, and all the best for a coming year of success and happiness! Lots of love, Karen. xxx ooo." Defendant denies the remaining allegations contained in Paragraph 26(t)

as they mischaracterize the facts and the context, and therefore, Defendant demands strict proof thereof.

27. In response to Paragraph 27, Defendant denies the allegation that Plaintiff provided an accurate or total description of “the events during the year 2010,” and therefore, demands strict proof thereof. In response to the allegation in Paragraph 27 that “Radford had the communications described above,” Defendant incorporates by reference each of her answers to Paragraph 1-26 as if incorporated in full herein. Defendant denies the allegation in Paragraph 27 that there are many other 2010 communications “in a similar vein,” and demands strict proof thereof. While Defendant admits the allegation in Paragraph 27 that she went to Plaintiff’s employer to describe his conduct of sexual harassment and sexual assault towards her, and authored a blog post regarding sexual harassment and sexual assault by an unknown person, Defendant denies the allegation in Paragraph 27 of the Complaint that Defendant “publicly accused Radford,” and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 27 of the Complaint and demands strict proof thereof.

28. In response to Paragraph 28, Defendant admits that on January 10, 2011, Plaintiff e-mailed Defendant stating: “Karen, I worked in a mention of your recent Naked Skeptic column in the next issue of SI. Ben.” Defendant is without sufficient knowledge or information to admit or deny the remaining allegations in Paragraph 28 of the Complaint and therefore denies the same and demands strict proof thereof.

29. In response to Paragraph 29, Defendant admits that on April 26, 2011, “Radford e-mailed a photograph taken of him and Stollznow outside the Club Quarters hotel in San Francisco.” Defendant is without sufficient knowledge or information to admit or deny the

remaining allegations in Paragraph 29 of the Complaint and therefore denies the same and demands strict proof thereof.

30. Defendant admits the allegations in Paragraph 31 of the Complaint that on or around June 1, 2011, she arranged a conference call with Plaintiff, Matthew Baxter, and herself. Defendant admits the allegations in Paragraph 31 of the Complaint that she told Plaintiff to stop sexually harassing her or she would contact Plaintiff's employer about the matter. However, Defendant is without sufficient information to admit or deny Plaintiff's feelings about the discussion and therefore denies the same and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 30 of the Complaint and demands strict proof thereof.

31. Defendant admits the allegation in Paragraph 31 of the Complaint that Blake Smith, Plaintiff, and Defendant alternated as co-hosts for the podcast for a period of time. Defendant is without sufficient knowledge or information to admit or deny the remaining allegations in Paragraph 31 of the Complaint and therefore denies the same and demands strict proof thereof.

32. Defendant denies the allegations in Paragraph 32 of the Complaint and demands strict proof thereof.

33. Defendant admits the allegations in Paragraph 33 of the Complaint that on October 29, 2011, Defendant and Matthew Baxter went to a CFI conference in New Orleans, which conference was also attended by Plaintiff. Defendant admits that she had a brief conversation with Plaintiff, while Matthew Baxter was close by, and therefore, denies any implication that it was a private conversation and demands strict proof thereof. Defendant admits that during the conference, Plaintiff, Defendant, Matthew Baxter, Blake Smith, and

Kathleen Smith went on a tour of the Honey Island Swamp. Defendant denies the remaining allegations in Paragraph 33 of the Complaint and demands strict proof thereof.

34. Defendant admits the allegations in Paragraph 34 of the Complaint regarding the e-mail quotes referenced by Plaintiff, but denies these allegations to the extent that Plaintiff is suggesting that these are full quotes, and denies these allegations as they mischaracterize the context of the communications between Plaintiff and Defendant and demands strict proof thereof. Defendant admits the allegation in Paragraph 34 of the Complaint that Plaintiff sent her a Christmas gift, and admits that she thanked him. However, Defendant denies the remaining allegations in Paragraph 34 of the Complaint and demands strict proof thereof.

35. Defendant admits the allegation in Paragraph 35 of the Complaint that in the first half of January 2012, Plaintiff and Defendant exchanged e-mails regarding work, the podcast, articles and columns, and a gift Plaintiff sent Defendant. Defendant admits the allegation in Paragraph 35 of the Complaint that she sought assistance on an article she was writing from Plaintiff as he was also her boss and her editor. Defendant admits that Plaintiff offered to help her with the indexing of a book she was writing, but denies that it occurred in January 2012 and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 35 of the Complaint and demands strict proof thereof.

36. Defendant admits the allegation in Paragraph 36 of the Complaint that on or around “July 12 or 13, 2012, Radford Stollznaw, Baxter, Blake Smith, and three others appeared together on a TAM conference panel to discuss ‘Investigative Methods for the Skeptic.’” Defendant admits the allegation that they were on a stage in front of hundreds of people. Defendant admits the allegation that the panel discussion was videotaped and is available on YouTube. Defendant admits that she was sexually harassed by Plaintiff during the panel.

However, Defendant denies that she made false claims and denies the allegation that the YouTube video is a complete record of what transpired during the panel, and therefore, demands strict proof thereof.

37. Defendant admits the allegations in Paragraph 37 of the Complaint regarding the e-mail quotes referenced by Plaintiff, but denies these allegations as Plaintiff has mischaracterized the context of the communications between Plaintiff and Defendant and demand strict proof thereof. Defendant denies the remaining allegations in Paragraph 37 of the Complaint and demands strict proof thereof.

38. Defendant admits the allegation in Paragraph 38 of the Complaint that Plaintiff e-mailed Blake Smith and Defendant on January 10, 2013. Defendant admits the allegations in Paragraph 38 of the Complaint regarding the e-mail quote referenced by Plaintiff, but denies these allegations to the extent that Plaintiff is suggesting that these are full quotes and denies these allegations as they mischaracterize the context of the communications between Plaintiff and Defendant and demand strict proof thereof.

39. Defendant admits the allegation in Paragraph 39 of the Complaint regarding the e-mail quote referenced by Plaintiff and attributed to Blake Smith, but denies the allegations to the extent that Plaintiff is suggesting that these are full quotes, and also denies these allegations as they mischaracterize the context of Blake Smith's feelings about Plaintiff's January 10, 2013 e-mail; therefore, Defendant demands strict proof thereof. With respect to the allegations in Paragraph 39 of the Complaint regarding the e-mail quote referenced by Plaintiff as Plaintiff's response to Blake Smith, Defendant is without sufficient knowledge or information to admit or deny and therefore denies the same and demands strict proof thereof. Defendant admits the allegation in Paragraph 39 that she did not respond to Plaintiff about his January 10, 2013 e-mail.

Defendant further admits that she contacted CFI regarding Plaintiff's conduct towards her. However, Defendant denies the allegation that she made false claims of sexual harassment and demands strict proof thereof.

40. In response to Paragraph 40 of the Complaint, Defendant admits that she lodged a complaint with CFI regarding Plaintiff's conduct towards her, and admits that she cooperated with the investigation. Defendant denies the remaining allegations in Paragraph 40 of the Complaint and demands strict proof thereof.

41. Defendant admits the allegation in Paragraph 41 of the Complaint that on June 26, 2013, CFI wrote to Stollznaw. Defendant is without sufficient knowledge or information to admit or deny whether CFI wrote to Radford that same day and demands strict proof thereof. Defendant denies Plaintiff's allegation in Paragraph 41 that "many of Stollznaw's allegations were not credited," and demands strict proof thereof. Defendant admits that the CFI letter stated:

"The evidence sustains your allegations in part; beginning on or about the summer of 2012, Radford did send you several inappropriate communications. Some of his conduct at conferences was also inappropriate. CFI/CSI is disciplining Radford for this conduct."

Defendant denies the allegation in Paragraph 41 of the Complaint that CFI's conclusions were surprising and demands strict proof thereof. Defendant denies the allegation in Paragraph 41 of the Complaint that CFI rejected most of Stollznaw's allegations and demands strict proof thereof. Defendant denies the allegations in Paragraph 41 of the Complaint that she falsified e-mails, denies that she fabricated "the circumstances associated with the events at the conference, and denies she deceived the CFI investigator, and therefore, demands strict proof thereof. Defendant is without sufficient knowledge or information to admit or deny the remaining

allegations in Paragraph 41 of the Complaint and therefore denies the same and demands strict proof thereof.

42. Defendant denies the allegations in Paragraph 42 of the Complaint and demands strict proof thereof.

43. Defendant admits the allegation in Paragraph 43 of the Complaint that she published a “guest blog” on the Scientific American Mind web site, entitled “I’m Sick of Talking About Sexual Harassment!” Defendant admits the allegation that the blog post included the following statement: “This man is a predator who collects girls of a certain ‘type’. His targets are chubby, shy, lonely, and insecure, just like I used to be.” Defendant admits that the blog post included the following statement: “He wouldn’t leave me alone. This wasn’t love. It was obsession.” Defendant admits that the blog post included the following statement: “From late 2009 onwards I made repeated requests for his personal communication to cease but these were ignored.” Defendant admits that the blog post included the following statement: “Then, he saw me at conferences and took every opportunity to place me in a vulnerable position. This is where the psychological abuse turned physical and he sexually assaulted me on several occasions.” Defendant denies the remaining allegations contained in Paragraph 43 of the Complaint and demands strict proof thereof.

44. In response to Paragraph 44, Defendant admits the allegation that she “did not identify Radford by name in her Scientific American guest blog.” Defendant denies the remaining allegations in Paragraph 44 of the Complaint and therefore demands strict proof thereof.

45. In response to Paragraph 45, Defendant admits that Blake Smith, Plaintiff and Defendant’s podcast co-host, posted a statement. However, Defendant is without sufficient

knowledge or information to admit or deny the remaining allegations contained in Paragraph 45 of the Complaint and therefore denies the same and demands strict proof thereof.

46. Defendant admits the allegation in Paragraph 46 of the Complaint that she provided Carrie Poppy with copies of her correspondence between the president of the skeptical organization the James Randi Educational Foundation and its board, but denies the allegations in this paragraph to the extent Plaintiff is suggesting that Defendant authorized and gave permission to Carrie Poppy to publish any of the information provided, and demands strict proof thereof. Defendant is without sufficient information to admit or deny the allegations in Paragraph 46 of the Complaint related to the content of Carrie Poppy's blog post and therefore denies the same and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 46 of the Complaint and demands strict proof thereof.

47. Defendant is without sufficient information to admit or deny the allegations in Paragraph 47 of the Complaint related to the content of P.Z. Myers' blog post and therefore denies the same and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 47 of the Complaint and demands strict proof thereof.

48. Defendant is without sufficient information to admit or deny the allegations in Paragraph 48 of the Complaint related to the content of Joe Anderson's blog post and therefore denies the same and demands strict proof thereof. Defendant denies the remaining allegations in Paragraph 48 of the Complaint and demands strict proof thereof.

49. Defendant denies the allegations contained in Paragraph 49 of the Complaint and demands strict proof thereof.

50. In response to Paragraph 50 of the Complaint, Defendant admits that she told Plaintiff's employer, CFI, about Plaintiff's misconduct, including sexual harassment and sexual

assault. Defendant further admits that she authored a blog post in which she stated that an unnamed person sexually harassed her over a period of time and also sexually assaulted her. However, Defendant denies that such statements were false and denies that they were malicious and demands strict proof thereof. Defendant denies the remaining allegations contained in Paragraph 50 of the Complaint and demands strict proof thereof.

51. Defendant denies the allegations in Paragraph 51 of the Complaint and demands strict proof thereof.

52. Defendant denies the allegations in Paragraph 52 of the Complaint and demands strict proof thereof.

53. Defendant denies the allegations in Paragraph 53 of the Complaint and demands strict proof thereof.

COUNT I
Defamation (Libel Per Se)

54. In response to Paragraph 54, Defendant realleges and incorporates by reference her responses to Paragraphs 1 through 53 as if set forth in full herein.

55. Defendant denies the allegations in Paragraph 55 of the Complaint and demands strict proof thereof.

56. Defendant denies the allegations in Paragraph 56 of the Complaint and demands strict proof thereof.

57. Defendant denies the allegations in Paragraph 57 of the Complaint and demands strict proof thereof.

58. Defendant denies the allegations in Paragraph 58 of the Complaint and demands strict proof thereof.

COUNT II
Libel Per Se or Per Quod

59. In response to Paragraph 59, Defendant realleges and incorporates by reference her responses to Paragraphs 1 through 58 as if set forth in full herein.

60. Defendant denies the allegations in Paragraph 59 of the Complaint and demands strict proof thereof.

61. Defendant denies the allegations in Paragraph 60 of the Complaint and demands strict proof thereof.

62. Defendant denies the allegations in Paragraph 62 of the Complaint and demands strict proof thereof.

COUNT III
Fraud

63. In response to Paragraph 63, Defendant realleges and incorporates by reference her responses to Paragraphs 1 through 62 as if set forth in full herein.

64. Defendant denies the allegations in Paragraph 63 of the Complaint and demands strict proof thereof.

65. Defendant denies the allegations in Paragraph 64 of the Complaint and demands strict proof thereof.

66. Defendant denies the allegations contained in Paragraph 66 of the Complaint that she provided falsified documents and/or falsified statements to CFI and its investigator and demands strict proof thereof. Defendant is without sufficient knowledge of information to admit or deny the remaining allegations contained in Paragraph 66 of Plaintiff's Complaint and therefore denies the same and demands strict proof thereof.

67. Defendant denies the allegations contained in Paragraph 67 of the Complaint and demands strict proof thereof.

68. Defendant denies the allegations contained in Paragraph 68 of the Complaint and demands strict proof thereof.

69. Defendant denies the allegations contained in Paragraph 69 of the Complaint and demands strict proof thereof.

COUNT IV
Interference with beneficial contractual relations

70. In response to Paragraph 70, Defendant realleges and incorporates by reference her responses to Paragraphs 1 through 69 as if set forth in full herein.

71. Defendant admits the allegation in Paragraph 71 of the Complaint that she talked with her own employer about Plaintiff's conduct towards her because she was concerned for her own safety. Defendant further admits that she talked with another conference president about Plaintiff's conduct because she was concerned for her own safety. Defendant denies the allegations contained in Paragraph 71 of the Complaint and demands strict proof thereof.

72. Defendant denies the allegations contained in Paragraph 72 of the Complaint and demands strict proof thereof.

73. Defendant denies the allegations contained in Paragraph 73 of the Complaint and demands strict proof thereof.

74. Defendant denies the allegations contained in Paragraph 74 of the Complaint and demands strict proof thereof.

COUNT V
Intentional Infliction of Emotional Distress

75. In response to Paragraph 75, Defendant realleges and incorporates by reference her responses to Paragraphs 1 through 74 as if set forth in full herein.

76. Defendant denies the allegations contained in Paragraph 76 of the Complaint and demands strict proof thereof.

77. Defendant denies the allegations contained in Paragraph 77 of the Complaint and demands strict proof thereof.

78. Defendant denies the allegations contained in Paragraph 78 of the Complaint and demands strict proof thereof.

AFFIRMATIVE DEFENSES

1. Plaintiff's Complaint fails to state a claim upon which relief can be granted.
2. As a separate and alternative affirmative defense, Plaintiff's claims are barred because the alleged defamatory statements are true.
3. As a separate and alternative affirmative defense, Plaintiff's claims are barred because the alleged defamatory statements are substantially true.
4. As a separate and alternative affirmative defense, Plaintiff's claims are barred because "the gist, or the sting" of the alleged defamatory statements were true and/or substantially true.
5. As a separate and alternative affirmative defense, Plaintiff's claims are barred as Defendant's communications and statements were justified and protected under the law.
6. As a separate and alternative affirmative defense, Plaintiff's claims are barred because the alleged defamatory statements constitute protected opinion.

7. As a separate and alternative affirmative defense, Plaintiff's claims are barred to the extent Plaintiff is deemed a public figure and the alleged matter is of public or general concern, or in the alternative Plaintiff is deemed a limited purpose public figure, as Plaintiff cannot establish the falsity of the alleged defamatory statements and cannot prove actual malice.

8. As a separate and alternative affirmative defense, Plaintiff's claims are barred to the extent Plaintiff is deemed a private figure, as Plaintiff cannot establish falsity of the alleged defamatory statements or reckless disregard by Defendant.

9. As a separate and alternative affirmative defense, Plaintiff's claims are barred because a qualified privilege applies to the statements Plaintiff has alleged to be defamatory.

10. As a separate and alternative affirmative defense, Plaintiff's claims are barred by the First Amendment and the state and federal constitutional protections afforded to free speech.

11. As a separate and alternative affirmative defense, Plaintiff's claims are barred as no act or omission on the part of Defendant either caused or contributed to the injuries Plaintiff has alleged to have suffered.

12. As a separate and alternative affirmative defense, Plaintiff's claims are barred in whole or in part as Plaintiff has failed to mitigate his damages.

13. As a separate and alternative affirmative defense, Plaintiff is not entitled to presumed damages.

14. Plaintiff's claims for punitive or exemplary damages are barred or limited by the Constitution of the United States of America and the laws of Colorado.

15. Defendant does not knowingly or intentionally waive any affirmative defenses and reserves the right to assert additional affirmative defense which may become available as discovery progresses.

JURY DEMAND

Defendant Karen Stollznaw hereby demands a jury for all issues triable by a jury.

WHEREFORE, Defendant Karen Stollznaw having fully answered Plaintiff's Amended Complaint for Defamation, Fraud and Interference with Beneficial Contractual Relations, requests that the Court dismiss with prejudice Plaintiff's Amended Complaint in its entirety and for such other and further relief as the Court deems just and proper.

Electronically submitted,

ALLEN, SHEPHERD, LEWIS & SYRA, P.A.

/s/ Christopher P. Winters _____

E.W. Shepherd

Christopher P. Winters

P.O. Box 94750

Albuquerque, NM 87199-4750

(505) 341-0110

Attorneys for Defendant Karen Stollznaw

I HEREBY CERTIFY that on the 10th day of December, 2014, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

John W. Boyd

jwb@fbdlaw.com

Attorney for Plaintiff

/s/ Christopher P. Winters _____

Christopher P. Winters