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5 Attorneys for Defendants CAPISTRANO UNIFIED SCHOOL  
6 DISTRICT and DR. JAMES CORBETT

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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 CHAD FARNAN, a minor, by and  
12 through his parents BILL FARNAN and  
TERESA FARNAN,

13 Plaintiff,

14 v.

15 CAPISTRANO UNIFIED SCHOOL  
16 DISTRICT; DR. JAMES CORBETT,  
individually and in his official capacity as  
17 an employee of Capistrano Unified School  
District; and DOES 1 through 20,  
18 inclusive,

19 Defendants.

CASE NO.: SACV07-1434-JVS (ANx)

BEFORE THE HONORABLE  
JAMES V. SELNA; COURTROOM 10C

**ANSWER OF DEFENDANTS  
CAPISTRANO UNIFIED SCHOOL  
DISTRICT AND DR. JAMES  
CORBETT TO PLAINTIFF'S FIRST  
AMENDED COMPLAINT AND  
DEMAND FOR TRIAL BY JURY**

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21 Defendants CAPISTRANO UNIFIED SCHOOL DISTRICT and DR. JAMES  
22 CORBETT answer the first amended complaint on file herein as follows:

23 **ALLEGATIONS COMMON TO ALL CLAIMS FOR RELIEF**

24 1. Answering Paragraphs 1, 2, 3, 4, 6, 9, 12 and 13 of the first amended  
25 complaint, these answering Defendants have no information or belief sufficient to  
26 enable them to answer the allegations contained in said Paragraphs, and basing their  
27 denial on said grounds, deny generally and specifically, all and singular, each and  
28 every allegation contained therein.

1           2.     Answering Paragraph 5 of the first amended complaint, these answering  
2 Defendants based upon information and belief admit that Chad Farnan is a minor and  
3 was a student at Capistrano Valley High School at the times alleged in the complaint.  
4 Except as so admitted, these answering Defendants deny the balance of the allegations  
5 on lack of information and belief.

6           3.     Answering Paragraph 7 of the first amended complaint, these answering  
7 Defendants admit the allegations contained therein.

8           4.     Answering Paragraph 8 of the first amended complaint, these answering  
9 Defendants admit that Dr. James Corbett was at all times relevant to this lawsuit an  
10 employee and teacher for the Capistrano Unified School District and that on the face  
11 of the first complaint Plaintiff is suing Dr. Corbett in his individual and official  
12 capacity.

13          5.     Answering Paragraph 10 of the first amended complaint, these answering  
14 Defendants admit the allegations contained therein.

15          6.     Answering Paragraph 11 of the first amended complaint, these answering  
16 Defendants admit that they are informed and believe that Chad Farnan is a sophomore  
17 at Capistrano Valley High School. Except as so admitted, these answering Defendants  
18 deny the balance of the allegations on lack of information and belief.

19          7.     Answering Paragraph 14 of the first amended complaint, these answering  
20 Defendants admit that on a regular basis in the fall 2007 semester Dr. Corbett  
21 discussed a wide variety of topics to enrich his students in the instruction of Advanced  
22 Placement European History. These answering Defendants further admit that  
23 unbeknownst to Dr. Corbett statements may have been made which were intended to  
24 provoke discussion which were beyond the comprehension level of Plaintiff Chad  
25 Farnan. Except as so admitted, these Defendants deny specifically the remaining  
26 allegations contained in Paragraph 14.

27          8.     Answering Paragraph 15 of the first amended complaint, these answering  
28 Defendants admit, based upon information and belief, that the Plaintiff has apparently

1 misunderstood and/or misconstrued a number of comments made by Dr. Corbett in his  
2 classroom. As to the specific allegations, Defendants are informed and believe that  
3 Plaintiff Chad Farnan surreptitiously recorded portions of Dr. Corbett's lectures and  
4 classroom discussion all in violation of California Education Code section 51512, and  
5 in violation of California Penal Code section 632. These answering Defendants further  
6 allege that Plaintiff edited and/or extracted portions of such transcripts to convey Dr.  
7 Corbett's meaning in classroom discussion in a false light. Defendants lack  
8 information and belief as to the authenticity of the specific comments, and note that  
9 they are taken out of context, and therefore deny the allegations contained therein until  
10 the completion of discovery.

11 9. Answering Paragraph 17 of the first amended complaint, these answering  
12 Defendants deny generally and specifically, all and singular, each and every allegation  
13 contained therein, and more particularly deny that by reason of the premises alleged,  
14 or for any cause whatever, Plaintiff suffered injuries or damages as alleged, or any  
15 other sum or sums, or at all.

16 10. Answering Paragraph 18 of the first amended complaint, these answering  
17 Defendants have no information or belief sufficient to enable them to answer the  
18 allegations contained in said Paragraphs, and basing their denial on said grounds, deny  
19 generally and specifically, all and singular, each and every allegation contained  
20 therein.

21 11. Answering Paragraph 19 of the first amended complaint, these answering  
22 Defendants admit that Dr. Corbett was acting in the course and scope of his  
23 employment and except as so admitted, deny the balance of the allegations.

24 12. Answering Paragraphs 20 and 21 of the first amended complaint, these  
25 answering Defendants deny generally and specifically, all and singular, each and  
26 every allegation contained therein, and more particularly deny that by reason of the  
27 premises alleged, or for any cause whatever, Plaintiff suffered injuries or damages as  
28 alleged, or any other sum or sums, or at all.

**AS TO THE FIRST CLAIM FOR RELIEF**

13. Answering Paragraph 21 [sic] of the first amended complaint, these answering Defendants refers to their answer to the allegations incorporated by reference into said Paragraph and incorporate said answer herein by reference as though fully set forth and for the same effect.

14. Answering Paragraphs 22, 23, 24 and 25 of the first amended complaint, these answering Defendants deny generally and specifically, all and singular, each and every allegation contained therein, and more particularly deny that by reason of the premises alleged, or for any cause whatever, Plaintiff[suffered injuries or damages as alleged, or any other sum or sums, or at all.

WHEREFORE, Defendants pray that Plaintiff take nothing by way of his complaint and that said Defendants be dismissed with costs herein incurred and for such other and further relief as the Court deems just and proper.

DATED: March 19, 2008

WOODRUFF, SPRADLIN & SMART, APC

By: Daniel K Spradlin  
DANIEL K. SPRADLIN

Attorneys for Defendants CAPISTRANO  
UNIFIED SCHOOL DISTRICT and DR.  
JAMES CORBETT

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& SMART  
ATTORNEYS AT LAW  
COSTA MESA

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**DEMAND FOR JURY TRIAL**

Defendants CAPISTRANO UNIFIED SCHOOL DISTRICT and DR. JAMES CORBETT hereby request a trial by jury.

DATED: March 19, 2008

WOODRUFF, SPRADLIN & SMART, APC

By: *Daniel K. Spradlin*

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