



dismiss, objections to both jurisdiction and venue. All such objections are repeated and incorporated as if restated here.

2. Denied. The allegations set forth in paragraph 2 of the RSAC state conclusions of law to which no response is required. To the extent any response may be deemed necessary, Defendant has previously raised through motions to dismiss, objections to personal jurisdiction. All such objections are repeated and incorporated as if restated here.

3. The allegations set forth in paragraph 3 of the RSAC state conclusions of law to which no response is required. To the extent any response may be deemed necessary, the allegations set forth in the RSAC speak for themselves; otherwise, denied.

4. The allegations set forth in paragraph 4 of the RSAC state conclusions of law to which no response is required. To the extent any response may be deemed necessary, the allegations are denied.

#### Parties

5. It is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 5 of the RSAC.

6. It is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 6 of the RSAC.

7. To the extent the allegations set forth in paragraph 7 of the RSAC state conclusions of law, no response is required. It is without knowledge or information sufficient to form a belief as to the remainder of the allegations set forth in paragraph 7 of the RSAC, except it admits that there have been court orders issued in the State of Vermont and Commonwealth of Virginia, which are subject to legal interpretation.

8. To the extent the allegations set forth in paragraph 8 of the RSAC state conclusions of law, no response is required. It otherwise is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 8 of the RSAC.

9. It is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 9 of the RSAC.

10. To the extent the allegations set forth in paragraph 10 of the RSAC state conclusions of law, no response is required. Admitted that Philip Zodhiates resides in Waynesboro, Virginia, and is the President and sole owner of Response Unlimited, Inc.

11. To the extent the allegations set forth in paragraph 11 of the RSAC state conclusions of law, no response is required. Admitted that Victoria Hyden was formerly known as Victoria Zodhiates, that she resides in Lynchburg, Virginia, and has been an employee of Response Unlimited, Inc. and Liberty University.

12. To the extent the allegations set forth in paragraph 12 of the RSAC state conclusions of law, no response is required. Admitted that Response Unlimited, Inc. is a Delaware corporation. All previous objections to personal jurisdiction are incorporated as if restated herein.

13. To the extent the allegations set forth in paragraph 13 of the RSAC state conclusions of law, no response is required. It lacks knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 13 of the RSAC.

14. To the extent the allegations set forth in paragraph 14 of the RSAC state conclusions of law, no response is required. It lacks knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 14 of the RSAC.

15. To the extent the allegations set forth in paragraph 15 of the RSAC state conclusions of law, no response is required. It lacks knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 15 of the RSAC.

16. To the extent the allegations set forth in paragraph 16 of the RSAC state conclusions of law, no response is required. It lacks knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 16 of the RSAC.

17. To the extent the allegations set forth in paragraph 17 of the RSAC state conclusions of law, no response is required. It lacks knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 17 of the RSAC except admits on information and belief that Liberty University is an educational institution located in Lynchburg, Virginia.

#### Common Allegations of Fact

18. Admitted that Isabella was born in 2002 while Lisa Miller and Janet Jenkins were in a Vermont civil union. Whose daughter she is presents a legal question as to which no response is required. Admitted that Lisa filed a petition with the Rutland Vermont Family Court to dissolve the union, and that courts in Vermont and Virginia have issued numerous rulings, which speak for themselves, and are subject to legal interpretation.

19. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 19 of the RSAC, except to say that it is aware of articles in the public domain on various subjects relating to Lisa Miller, and that court orders were issued, which speak for themselves, and are subject to legal interpretation.

20. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 20 of the RSAC, except to say that various court

orders have been issued which address questions of visitation and custody, which speak for themselves, and are subject to legal interpretation.

21. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 21 of the RSAC.

22. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 22 of the RSAC, except to say that various court orders have been issued which address questions of visitation and custody, which speak for themselves, and are subject to legal interpretation.

23. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 23 of the RSAC.

24. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 24 of the RSAC.

25. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 25 of the RSAC, except to say that various court orders have been issued, which speak for themselves, and are subject to legal interpretation.

26. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 26 of the RSAC.

27. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 27 of the RSAC.

28. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in the first two sentences of paragraph 28 of the RSAC, except to say that various court orders have been issued, which speak for themselves, and are subject to legal interpretation. It admits that Philip Zodhiates is a resident of Waynesboro,

Virginia, and President of Response Unlimited, Inc. It denies that Response Unlimited is a “Christian direct mail marketing company,” and is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 28 of the RSAC.

29. Defendant is without knowledge or information sufficient to form a belief as to what Janet Jenkins knew at any time. It denies the remainder of the allegations set in the first sentence of paragraph 29 of the RSAC. It admits that it did work on the Lisa Miller case in 2008 and 2009. It is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 29 of the RSAC.

30. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 30 of the RSAC, except to say that docket entries in the Rutland Family Court reflect events scheduled and speak for themselves.

31. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 31 of the RSAC, except to say that various court orders have been issued, which speak for themselves, and are subject to legal interpretation.

32. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 32 of the RSAC, except to say that various court orders have been issued, which speak for themselves, and are subject to legal interpretation.

33. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 33 of the RSAC, except to say that various court orders have been issued, which speak for themselves, and are subject to legal interpretation.

34. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in 34 of the RSAC. To the extent that the allegations set forth in that paragraph state conclusions of law, no response is required.

35. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 35 of the RSAC.

36. Defendant is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 36 of the RSAC.

37. Defendant admits that Bill Dolack was a Response Unlimited, Inc. employee, and that he sent e-mails to a number of persons, including Mr. Zodhiates, which e-mails speak for themselves.

38. To the extent that the allegation set forth in paragraph 38 of the RSAC states conclusions of law, no response is required. Defendant is otherwise without knowledge or information sufficient to form a belief as to their truth.

39. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the other allegations set forth in paragraph 39 of the RSAC.

40. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the other allegations set forth in paragraph 40 of the RSAC.

41. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 41 of the RSAC.

42. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 42 of the RSAC.

43. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 43 of the RSAC.

44. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 44 of the RSAC, except it admits that in 2009 Victoria Hyden was a part-time employee of Response Unlimited, Inc.

45. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the other allegations set forth in paragraph 45 of the RSAC.

46. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 46 of the RSAC.

47. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 47 of the RSAC, except that it admits that courts in Vermont and Virginia have issued numerous rulings, which speak for themselves, and are subject to legal interpretation.

48. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 48 of the RSAC.

49. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 49 of the RSAC, except that it admits that courts in Vermont and Virginia have issued numerous rulings, which speak for themselves, and are subject to legal interpretation.

50. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 50 of the RSAC.

51. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 51 of the RSAC.

52. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 52 of the RSAC.

53. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 53 of the RSAC.

54. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 54 of the RSAC.

55. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 55 of the RSAC.

56. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 56 of the RSAC.

57. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 57 of the RSAC.

58. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 58 of the RSAC.

59. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 59 of the RSAC.

60. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 60 of the RSAC.

61. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 61 of the RSAC.

62. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 62 of the RSAC.

63. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 63 of the RSAC.

COUNT ONE  
Intentional Tort of Kidnapping

Defendant repeats its responses to paragraphs 1 through 63.

64. The allegations made by Plaintiffs speak for themselves. Liability is denied.

65. The allegations made by Plaintiffs speak for themselves. Liability is denied.

COUNT TWO  
Conspiracy to Violate Civil Rights

Defendant repeats his responses to paragraphs 1 through 65

66. The allegations set forth in paragraph 66 of the RSAC state a conclusion of law as to which no response is required.

67. The allegations set forth in paragraph 67 made by Plaintiffs speak for themselves. Liability is denied.

Damages

68 - 71. To the extent the allegations set forth in paragraphs 68 through 72 of the RSAC state a conclusion of law, no response is required. Defendant is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraphs 68 through 71 of the RSAC.

72. The allegations set forth in paragraph 72 of the RSAC do not require a response.

Affirmative Defenses

1. Defendant repeats as affirmative defenses each argument presented in his earlier filed motions to dismiss.

2. Lack of personal jurisdiction.

3. Improper venue.

4. Statute of limitations.

5. Lack of standing.

6. Failure to state a claim.
7. Response Unlimited, Inc. reserves the right to plead, to the extent applicable and justified by the facts of this case, the affirmative defenses of contributory negligence, estoppel, release, res judicata, collateral estoppel, laches, unclean hands, equitable estoppel and waiver.
8. Lack of duty.
9. None of the actions alleged to have been undertaken were within the scope or course of the business of Response Unlimited, Inc., which is not responsible for the actions.
10. None of the actions alleged to have been undertaken were authorized by Response Unlimited, Inc., which is not responsible for the actions.
11. None of the actions alleged to have been undertaken were performed by agents of Response Unlimited, Inc., which is not responsible for the actions.
12. The claim for punitive damages is barred by the United States and Vermont Constitutions.

WHEREFORE, Defendant prays that judgment be entered in his behalf, awarding him costs, attorneys' fees, and such other relief as may seem fitting and proper.

Dated: Burlington, Vermont  
November 3, 2017

/s/ Robert B. Hemley  
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UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

JANET JENKINS, <i>et al.</i> ,	)	
Plaintiffs	)	
	)	
v.	)	Docket No. 2:12-cv-184
	)	
KENNETH L. MILLER, <i>et al.</i> ,	)	
Defendants	)	

CERTIFICATE OF SERVICE

I, Robert B. Hemley, Esq., attorney for Defendants Philip Zodhates, Victoria Hyden and Response Unlimited, Inc., certify that, on November 3, 2017, I served the Answer and Affirmative Defenses of Response Unlimited, Inc., to Plaintiffs' Revised Second Amended Complaint through the CM/ECF system on the following individuals:

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Dated: Burlington, Vermont  
November 3, 2017

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