

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

Ashley DIAMOND,

Plaintiff,

v.

Timothy WARD, individually and in his official capacity as Commissioner of GDC; Sharon LEWIS, individually and in her official capacity as Statewide Medical Director of GDC; Javel JACKSON, individually and in her official capacity as Director of Mental Health of GDC; Ahmed HOLT, individually and in his official capacity as Assistant Commissioner Facilities Division of GDC; Robert TOOLE, individually and in his official capacity as Director of Field Operations of GDC; Benjamin FORD, individually and in his official capacity as Warden of GDC prison; Jack SAULS, in his official capacity as Assistant Commissioner of the Health Services Division of GDC; Brooks BENTON, individually and in his official capacity as Warden of Coastal State Prison; Grace ATCHISON, individually and in her official capacity as Statewide Prison Rape Elimination Act Coordinator of GDC; Lachesha SMITH, in her individual capacity; Arneika SMITH, in her individual capacity; and Rodney JACKSON, in his individual capacity.

Defendants.

Civil Action File No.  
5:20-cv-00453-MTT

**JURY TRIAL DEMANDED**

**DEFENDANT ARNEIKA S. SMITH'S ANSWER AND RESPONSIVE  
PLEADING TO PLAINTIFF'S FIRST AMENDED COMPLAINT**

COMES NOW Arneika S. Smith, Defendant in the above-styled action, by and through her undersigned counsel of record, and presents her Answer and Responsive Pleading, including defenses and objections, to Plaintiff's First amended Complaint as follows:

**FIRST DEFENSE**

Plaintiff failed to state a claim for which relief may be granted as to all or some of Plaintiff's claims.

**SECOND DEFENSE**

Defendant asserts the affirmative defenses of lack of subject matter jurisdiction and lack of personal jurisdiction over this Defendant.

**THIRD DEFENSE**

Plaintiff's claims are barred by Eleventh Amendment immunity, state sovereign immunity, good faith immunity, and/or qualified immunity.

**FOURTH DEFENSE**

Any action taken by this Defendant, relative to the allegations in Plaintiff's amended Complaint, was a bona fide good faith decision, for good cause.

**FIFTH DEFENSE**

Any injuries or damages allegedly sustained by Plaintiff were directly and proximately caused by the actions of Plaintiff or others and not this Defendant.

**SIXTH DEFENSE**

No act or omission of Defendant caused or contributed to any of Plaintiff's alleged injuries, damages, or deprivations.

**SEVENTH DEFENSE**

At all times relevant to Plaintiff's allegations, Defendant acted reasonably and in good faith and Plaintiff brings this action with unclean hands. The Defendant affirmatively asserts that she engaged in good faith efforts to comply with all legal requirements.

**EIGHTH DEFENSE**

Plaintiff fails to allege a violation of a clearly established constitutional right against this Defendant.

**NINETH DEFENSE**

To the extent the amended Complaint may be construed to name Defendant in her official capacity, she asserts the affirmative defense of Eleventh Amendment sovereign immunity.

**TENTH DEFENSE**

Defendant at no time relevant to the allegations in the instant amended Complaint acted with intent to harm or injure Plaintiff, nor has she acted with reckless or callous disregard for the constitutional rights of Plaintiff. For these reasons, Plaintiff has no cause of action against this Defendant pursuant to 42 U.S.C.

§ 1983.

**ELEVENTH DEFENSE**

The portions of Plaintiff's amended Complaint consisting of legal arguments and arguments regarding the evidence should be stricken under FED. R. CIV. P. 12(f).

**TWELFTH DEFENSE**

Plaintiff is not entitled to liquidated or punitive damages because Defendant at no time engaged in willful misconduct and at no time engaged in any practice or conduct with malice or reckless indifference Plaintiff's rights.

**THIRTEENTH DEFENSE**

Defendant cannot be held liable in this civil rights lawsuit for actions of other persons in which she did not participate, that she did not direct or authorize, and which she did not ratify.

**FOURTEENTH DEFENSE**

Defendant denies Plaintiff has been deprived by her of any rights, privileges, or immunities secured by the Constitution of the United States or the State of Georgia, or otherwise available by law.

**FIFTEENTH DEFENSE**

To the extent that discovery may demonstrate, Defendant raises the defense of failure to exhaust administrative remedies as required by the Prison Legal Reform Act or other legal provisions.

### **SIXTEENTH DEFENSE**

Plaintiff's claims for punitive damages are not recoverable against Defendant under the statutory provisions with which Plaintiff purports to make his claims.

### **SEVENTEENTH DEFENSE**

Defendant raises the defense that the amended Complaint is barred by the statute of limitations to the extent subsequent discovery demonstrates any claim was not timely filed.

### **EIGHTEENTH DEFENSE**

Without waiving the forgoing Defenses, Defendant A. Smith responds to the specific allegations of the amended Complaint as follows:

#### **INTRODUCTION**

1.

In response to paragraph number 1, Defendant denies Plaintiff was at any time subject to a brutal or unrelenting abuse or mistreatment as a result of this Defendants' actions or omissions. Defendant denies knowledge of any abuse or mistreatment of Plaintiff. Defendant is without sufficient information to form a belief as to the truthfulness of the remaining allegations in paragraph number 1 and, therefore, such allegations stand denied.

2.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 2 of Plaintiff's amended Complaint and, therefore, such allegations stand denied.

3.

Defendant objects to paragraph number 3 on the grounds that it calls for a legal conclusion or analysis. To the extent a response is required, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 3 of Plaintiff's amended Complaint and, therefore, such allegations stand denied.

4.

In response to the allegations in paragraph 4, Defendant is without sufficient information to form a belief as to the truthfulness of the allegations against other persons and, therefore, such allegations stand denied. Defendant denies the allegations as made against this Defendant and Defendant denies she has any knowledge that any person violated Plaintiff's constitutional rights, abused Plaintiff in any manner, breached any duty owed to Plaintiff, or otherwise failed to protect Plaintiff.

5.

In response to the allegations in paragraph 5, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations against other persons and, therefore, such allegations stand denied. Defendant denies all

allegations as made against this Defendant and Defendant denies she has any knowledge that any person violated Plaintiff's constitutional rights, abused Plaintiff in any manner, breached any duty owed to Plaintiff, or otherwise failed to protect Plaintiff and, therefore, such allegations stand denied.

6.

In response to the allegations in paragraph 6, Defendant states she cannot speak to the actions of other persons as she is without sufficient information to form a belief as to the truthfulness of the allegations against other persons and, therefore, such allegations stand denied. Defendant denies all allegations as made against this Defendant and Defendant denies she has any knowledge that any person violated Plaintiff's constitutional rights, abused Plaintiff in any manner, breached any duty owed to Plaintiff, or otherwise failed to protect Plaintiff and, therefore, such allegations stand denied.

7.

In response to the allegations in paragraph 7, Defendant states she cannot speak to the actions of other persons as she is without sufficient information to form a belief as to the truthfulness of the allegations against other persons and, therefore, such allegations stand denied. Defendant denies all allegations as made against this Defendant and Defendant denies she has any knowledge that any person violated Plaintiff's constitutional rights, refused Plaintiff housing requests, abused Plaintiff

in any manner, breached any duty owed to Plaintiff, or otherwise failed to protect Plaintiff and, therefore, such allegations stand denied.

8.

In response to the allegations in paragraph 8, Defendant states she cannot speak to the actions of other persons as she is without sufficient information to form a belief as to the truthfulness of the allegations against other persons and, therefore, such allegations stand denied. Defendant denies all allegations as made against this Defendant and Defendant denies she has any knowledge that any person violated Plaintiff's constitutional rights, abused Plaintiff in any manner, denied Plaintiff medical treatment for serious medical needs, breached any duty owed to Plaintiff, or otherwise failed to protect Plaintiff and, therefore, such allegations stand denied.

9.

In response to the allegations in paragraph 9, Defendant states she cannot speak to the actions of other persons as she is without sufficient information to form a belief as to the truthfulness of the allegations against other persons and, therefore, such allegations stand denied. Defendant denies all allegations as made against this Defendant and Defendant denies she has any knowledge that any person violated Plaintiff's constitutional rights, abused Plaintiff in any manner, breached any duty owed to Plaintiff, or otherwise failed to protect Plaintiff and, therefore, such allegations stand denied. Defendant specifically denies she had any control over

housing assignments for Plaintiff or any other inmate and denies she has any knowledge of an assault of Plaintiff.

10.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 10 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

11.

In response to the allegations in paragraph 11, Defendant states she cannot speak to the actions of other persons as she is without sufficient information to form a belief as to the truthfulness of the allegations against other persons and, therefore, such allegations stand denied. Defendant denies all allegations as made against this Defendant and Defendant denies she has any knowledge that any person violated Plaintiff's constitutional rights, abused Plaintiff in any manner, denied Plaintiff medical treatment for serious medical needs, breached any duty owed to Plaintiff, or otherwise failed to protect Plaintiff and, therefore, such allegations stand denied. Defendant is without sufficient information to form a belief regarding the truthfulness of Plaintiff's allegations regarding self-harm, therefore, such allegations stand denied.

12.

In response to the allegations in paragraph 12, Defendant states she cannot

speak to the actions of other persons as she is without sufficient information to form a belief as to the truthfulness of the allegations against other persons and, therefore, such allegations stand denied. Defendant denies all allegations as made against this Defendant and Defendant denies she has any knowledge that any person violated Plaintiff's constitutional rights, abused Plaintiff in any manner, denied Plaintiff medical treatment for serious medical needs, breached any duty owed to Plaintiff, or otherwise subjected Plaintiff to cruel or unusual punishment.

13.

In response to the allegations in paragraph 13, Defendant states she cannot speak to the actions of other persons as she is without sufficient information to form a belief as to the truthfulness of the allegations against other persons and, therefore, such allegations stand denied. Defendant denies all allegations as made against this Defendant and Defendant denies she has any knowledge that any person violated Plaintiff's constitutional rights, abused Plaintiff in any manner, breached any duty owed to Plaintiff, or otherwise treated Plaintiff differently from any similarly situated person and, therefore, such allegations stand denied. Defendant specifically denies she had any control over housing assignments for Plaintiff and denies she has any knowledge of an assault or threatened assault of Plaintiff.

14.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 14 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

15.

The allegations in paragraph number 15 of Plaintiff's amended Complaint are denied.

### **JURISDICTION AND VENUE**

16.

Defendant admits the allegations in paragraph 16 of Plaintiff's amended Complaint but denies Plaintiff stated a claim against this Defendant or that the undisputed facts substantiate any claim against this Defendant.

17.

Without waiving any immunity defense to jurisdiction, Defendant admits the allegations in paragraph 17 of Plaintiff's amended Complaint but denies Plaintiff stated a claim against this Defendant; provided, however, Defendant denies that Plaintiff's constitutional rights were violated by this Defendant or, to the best of Defendant's knowledge and belief, by any other Defendant.

18.

Defendant admits she is a resident of Georgia and at all times relevant to the allegations in the amended Complaint, she acted under color of state law. Defendant is without sufficient information to be able to respond as to the other named

Defendants. The remaining allegations of paragraph number 18 are denied.

19.

Defendant has no objection to venue in the Middle District of Georgia, Defendant denies venue lies in any other district.

### **PARTIES**

20.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 20 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

### **Defendants (collectively, the Diamond II Defendants")**

21.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 21 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

22.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 22 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

23.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 23 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

24.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 24 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

25.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 25 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

26.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 26 of Plaintiff's amended Complaint and, therefore, such allegations must be denied; provided, however, Defendant admits Defendant Ford was the Warden of GDCP for part or all of the times relevant to the allegations in Plaintiff's amended Complaint.

27.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 27 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

28.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 28 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

29.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 29 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

30.

Defendant admits only that at the time of the subject incident she served at GDCP as a correctional officer. The remaining allegations in paragraph 30 are denied as stated.

31.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 31 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

32.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 32 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

## **ALLEGED FACTUAL ALLEGATIONS**

### **Alleged background on Plaintiff**

33.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 33 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

34.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 34 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

35.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 35 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

36.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 36 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

37.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 37 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

38.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 38 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

39.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 39 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

40.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 40 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

41.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 41 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Alleged pattern of violence, abuse, and unconstitutional neglect at GDC.**

42.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 42 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

43.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 43 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

44.

The allegations in paragraph 44 of Plaintiff's amended Complaint are denied as to this Defendant.

45.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 45 of Plaintiff's amended Complaint with respect to other Defendants and, therefore, such allegations must be denied. Defendant denies the allegations as to this Defendant.

46.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 46 of Plaintiff's amended Complaint with

respect to other Defendants and, therefore, such allegations must be denied. Defendant denies the allegations as to this Defendant.

47.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 47 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

48.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 48 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

49.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 49 of Plaintiff's amended Complaint with respect to other Defendants and, therefore, such allegations must be denied. Defendant denies the allegations as to this Defendant.

50.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 50 of Plaintiff's amended Complaint with respect to other Defendants and, therefore, such allegations must be denied. Defendant denies the allegations as to this Defendant.

51.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 51 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

52.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 52 of Plaintiff's amended Complaint with respect to other Defendants and, therefore, such allegations must be denied. Defendant denies the allegations as to this Defendant.

**Plaintiff's allegations regarding a prior lawsuit against GDC**

53.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 53 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

54.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 54 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

55.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 55 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

56.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 56 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

57.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 57 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

58.

Defendant objects to paragraph 58 to the extent it calls for a legal conclusion. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 58 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

59.

Defendant objects to paragraph 59 to the extent it calls for a legal conclusion. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 59 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

60.

Defendant objects to paragraph 60 to the extent it calls for a legal conclusion. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 60 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

61.

Defendant objects to paragraph 61 to the extent it calls for a legal conclusion. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 61 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

62.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 62 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

63.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 63 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

64.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 64 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

65.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 65 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

66.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 66 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant specifically denies she is aware of any mistreatment or abuse of transgender inmates at GDC.

**Defendants allegedly placed Plaintiff at a men's Prisons  
despite knowing Plaintiff's risk of sexual assault.**

67.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 67 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

68.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 68 of Plaintiff's amended Complaint with respect to other Defendants and, therefore, such allegations must be denied.

Defendant denies the allegations as to this Defendant.

69.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 69 of Plaintiff's amended Complaint with respect to other Defendants and, therefore, such allegations must be denied.

Defendant denies the allegations as to this Defendant.

70.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 70 of Plaintiff's amended Complaint with respect to other Defendants and, therefore, such allegations must be denied.

Defendant denies the allegations as to this Defendant and Defendant specifically denies she has personal knowledge of any sexual assault of Plaintiff and denies she has any responsibility or control over Plaintiff's prison assignments.

71.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 71 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Plaintiff's alleged sexual assaults at GDCP**

72.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 72 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

73.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 73 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

74.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 74 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

75.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 75 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

76.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 76 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

77.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 77 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Plaintiff's alleged sexual assault by a staff member – March 2020**

78.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 78 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

79.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 79 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

80.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 80 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

81.

Defendant objects to paragraph number 81 on the grounds that it calls for a legal conclusion. Without waiving the foregoing objection and to the extent that a response is required, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 81 of Plaintiff's

amended Complaint and, therefore, such allegations must be denied.

82.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 82 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant specifically denies she has any knowledge of an assault on Plaintiff.

83.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 83 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

84.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 84 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant is denies having any knowledge of a widespread and pervasive pattern by GDC personnel of disregarding the needs of transgender inmates.

85.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 85 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

86.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 86 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

87.

The allegations in paragraph 87 of Plaintiff's amended Complaint are denied.

88.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 88 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Plaintiff's alleged sexual assault – April 2020**

89.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 89 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

90.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 90 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

91.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 91 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

92.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 92 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

93.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 93 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

94.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 94 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant specifically denies that she is under any knowledge or obligation as asserted.

**Plaintiff's alleged sexual abuse by a GDC officer – May 2020**

95.

The allegations in paragraph 95 of Plaintiff's amended Complaint are denied.

96.

The allegations in paragraph 96 of Plaintiff's amended Complaint are denied as written.

97.

The allegations in paragraph 97 of Plaintiff's amended Complaint are denied.

98.

The allegations in paragraph 98 of Plaintiff's amended Complaint are denied.

99.

The allegations in paragraph 99 of Plaintiff's amended Complaint are denied.

100.

The allegations in paragraph 100 of Plaintiff's amended Complaint are denied.

101.

The allegations in paragraph 101 of Plaintiff's amended Complaint are denied.

102.

The allegations in paragraph 102 of Plaintiff's amended Complaint are denied.

103.

The allegations in paragraph 103 of Plaintiff's amended Complaint are denied.

104.

The allegations in paragraph 104 of Plaintiff's amended Complaint are denied.

105.

The allegations in paragraph 105 of Plaintiff's amended Complaint are denied.

106.

The allegations in paragraph 106 of Plaintiff's amended Complaint are denied.

107.

The allegations in paragraph 107 of Plaintiff's amended Complaint are denied.

108.

The allegations in paragraph 108 of Plaintiff's amended Complaint are denied.

109.

The allegations in paragraph 109 of Plaintiff's amended Complaint are denied.

110.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 110 of Plaintiff's amended Complaint regarding what Plaintiff told other persons and, therefore, such allegations must be denied. The allegations in paragraph 110 that state or imply that this Defendant sexually assaulted or otherwise mistreated Plaintiff are specifically denied.

111.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 111 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

112.

The allegations in paragraph 112 of Plaintiff's amended Complaint are denied.

113.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 113 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

114.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 114 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant specifically denies she caused Plaintiff any injury, emotional harm, or other damage whatsoever.

**Plaintiff's alleged sexual assault/abuse at Coastal State Prison**

115.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 115 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

116.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 116 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

117.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 117 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Plaintiff's alleged sexual harassment by unit manager – June 2020**

118.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 118 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

119.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 119 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

120.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 120 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

121.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 121 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied.

122.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 122 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

123.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 123 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

124.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 124 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant states further that she denies having any knowledge of GDC personnel disregarding the safety needs of transgender inmates.

125.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 125 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant states further she denies having any knowledge of GDC personnel disregarding the safety needs of

transgender inmates.

**Alleged retaliation against plaintiff for reporting alleged abuse – June 2020**

126.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 126 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

127.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 127 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

128.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 128 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

129.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 129 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

130.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 130 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Plaintiff's alleged sexual assault and threat – July 2020**

131.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 131 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

132.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 132 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

133.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 133 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

134.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 134 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

135.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 135 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

136.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 136 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

137.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 137 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

138.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 138 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

139.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 139 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Plaintiff's alleged sexual assault and abuse – September 2020**

140.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 140 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

141.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 141 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

142.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 142 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

143.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 143 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

144.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 144 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied.

145.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 145 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

146.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 146 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

147.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 147 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Plaintiff's alleged sexual assaults – October 2020**

148.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 148 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

149.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 149 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

150.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 150 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

151.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 151 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

152.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 152 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant states further she denies having any knowledge of GDC personnel disregarding the safety needs of transgender inmates.

153.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 153 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

154.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 154 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

155.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 155 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

156.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 156 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

157.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 157 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Alleged denial of medical care for gender dysphoria**

158.

The allegations in paragraph 158 of the Plaintiff's amended Complaint pertaining to this Defendant are denied. Defendant is without sufficient information

to form a belief as to the truthfulness of the allegations in paragraph 158 regarding other persons and, therefore, such allegations must be denied.

159.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 159 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

160.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 160 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

161.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 161 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Alleged denial of medical care for gender dysphoria continued**

162.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 162 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

163.

Defendant objects to the allegations in paragraph 163 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 163 of Plaintiff's amended Complaint including the subparts thereto and, therefore, such allegations must be denied.

164.

Defendant objects to the allegations in paragraph 164 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 164 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

165.

Defendant objects to the allegations in paragraph 165 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of

the allegations in paragraph 165 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

166.

Defendant objects to the allegations in paragraph 166 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 166 of Plaintiff's amended Complaint including the subparts thereto and, therefore, such allegations must be denied.

167.

Defendant objects to the allegations in paragraph 167 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 167 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

168.

Defendant objects to the allegations in paragraph 168 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant

states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 168 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

169.

Defendant objects to the allegations in paragraph 169 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise and for speculation. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 169 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

170.

Defendant objects to the allegations in paragraph 170 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 170 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

171.

Defendant objects to the allegations in paragraph 171 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of

this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 171 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Alleged denial of medical care continued**

172.

Defendant objects to the allegations in paragraph 172 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 172 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

173.

Defendant objects to the allegations in paragraph 173 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 173 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

174.

Defendant objects to the allegations in paragraph 174 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 174 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant further states she has never denied Plaintiff access to medical attention for any of her serious medical needs.

175.

The allegations in paragraph 175 of the Plaintiff's amended Complaint pertaining to this Defendant are denied. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 175 regarding other persons and, therefore, such allegations must be denied.

176.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 176 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

177.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 177 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied. Defendant specifically denies that she ever denied Plaintiff medical treatment for any serious medical needs.

178.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 178 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

179.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 179 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

180.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 180 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

181.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 181 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

182.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 182 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

183.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 183 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

184.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 184 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Plaintiff alleges defendants have an unconstitutional custom, policy, or practice of denial of medical care for transgender inmates**

185.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 185 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

186.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 186 of Plaintiff's amended Complaint including the subparts therein and, therefore, such allegations must be denied.

187.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 187 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant specifically denies she was aware of any unconstitutional restrictions on gender dysphoria care.

188.

Defendant objects to the allegations in paragraph 188 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 188 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

189.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 189 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

190.

The allegations in paragraph 190 of Plaintiff's amended Complaint are denied.

191.

Defendant objects to the allegations in paragraph 191 of Plaintiff's amended

Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 191 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

192.

Defendant objects to the allegations in paragraph 192 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 192 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

193.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 193 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

194.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 194 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Defendants allegedly disregarded Plaintiff's medical treatment needs**

195.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 195 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

196.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 196 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

197.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 197 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

198.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 198 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

199.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 199 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied.

200.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 200 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

201.

Defendant objects to the allegations in paragraph 201 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 201 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

202.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 202 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

203.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 203 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

204.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 204 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

205.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 205 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

206.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 206 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

207.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 207 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

208.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 208 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied.

209.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 209 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Defendants allegedly refused Plaintiff's treatment needs for gender dysphoria**

210.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 210 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

211.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 211 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

212.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 212 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

213.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 213 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

214.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 214 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

215.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 215 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

216.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 216 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

217.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 217 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

218.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 218 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

219.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 219 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

220.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 220 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

221.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 221 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

222.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 222 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant specifically denies that she received any such notice.

223.

Defendant objects to the allegations in paragraph 223 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 223 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

224.

Defendant objects to the allegations in paragraph 224 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 224 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

225.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 225 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

226.

Defendant objects to the allegations in paragraph 226 of Plaintiff's amended

Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise and calls for speculation. Without waiving the foregoing objections, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 226 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Alleged indifference to Plaintiff's health and safety needs  
Alleged disregarding the known risk of housing decisions**

227.

The allegations in paragraph 227 of Plaintiff's amended Complaint are denied.

228.

Defendant objects to the allegations in paragraph 228 of Plaintiff's amended Complaint on the grounds that it calls for a legal conclusion or analysis. Without waiving the foregoing objection, and to the extent a response is required, the allegations in paragraph 228, including the footnote subparts, are denied.

229.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 229 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Defendants allegedly failed to prevent sexual abuse of Plaintiff.**

230.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 230 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

231.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 231 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

232.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 232 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

233.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 233 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

234.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 234 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

235.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 235 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

236.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 236 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

237.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 237 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

238.

The allegations in paragraph 238 of Plaintiff's amended Complaint are denied.

239.

The allegations in paragraph 239 of Plaintiff's amended Complaint are denied as written.

240.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 240 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**Alleged failure to provide a protective transfer to another facility.**

241.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 241 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

242.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 242 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

243.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 243 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

244.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 244 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

245.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 245 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied. Defendant specifically denies that she had any duty to transfer Plaintiff or that she was involved in denying Plaintiff's alleged requests for a transfer.

**Alleged unconstitutional custom, practice, or policy  
of violating the rights of transgender inmates.**

246.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 246 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

247.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 247 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant states further she has no knowledge of any unconstitutional custom, policy, or practice concerning housing transgender inmates.

248.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 248 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

249.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 249 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

250.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 250 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

251.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 251 of Plaintiff's amended Complaint including the subparts therein and, therefore, such allegations must be denied.

252.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 252 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant specifically denies that she has knowledge that a placement ban on transgender women creates a substantial risk of serious harm or that such a ban creates such harm.

253.

The allegations in paragraph 253 of Plaintiff's amended Complaint including the subparts therein are denied.

254.

The allegations in paragraph 254 of Plaintiff's amended Complaint are denied.

255.

The allegations in paragraph 255 of Plaintiff's amended Complaint are denied.

256.

The allegations in paragraph 256 of Plaintiff's amended Complaint are denied.

257.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 257 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

258.

The allegations in paragraph 258 of Plaintiff's amended Complaint are denied.

**Plaintiff's failure to protect claim**

259.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 259 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

260.

The allegations in paragraph 260 of Plaintiff's amended Complaint are denied.

261.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 261 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

262.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 262 of Plaintiff's amended Complaint and, therefore, such allegations must be denied; provided, however, Defendant denies that Plaintiff ever described experiences of alleged abuse and assault to her.

263.

The allegations in paragraph number 263 are denied as to this Defendant. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 263 with regard to other Defendants and, therefore, such allegations must be denied.

264.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 264 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

265.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 265 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

266.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 266 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

267.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 267 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

268.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 268 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

269.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 269 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

270.

The allegations in paragraph number 270 are denied as to this Defendant.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 270 with regard to other Defendants and, therefore, such allegations must be denied.

271.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 271 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

272.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 272 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

273.

The allegations in paragraph 273 of Plaintiff's amended Complaint are denied.

274.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 274 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

275.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 275 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied.

276.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 276 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

277.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 277 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

278.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 278 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

279.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 279 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

**COUNT I**

**Eighth Amendment claim for failure to protect (42 U.S.C. § 1983)  
Claims for declaratory and injunctive relief against Defendants Ward, Lewis,  
J. Jackson, Holt, Toole, Benton, and Atchison  
Claims for damages against Defendants Ward, Lewis, J. Jackson, Holt, Toole,  
Ford, Benton, Atchison, L. Smith, and R. Jackson**

280.

Defendant incorporates the foregoing defenses, objections, and responses as if fully restated herein in response to paragraph 280 of Plaintiff's amended Complaint.

281.

Defendant objects to request number 281 of Plaintiff's amended Complaint on the grounds the same calls for a legal conclusion and analysis. To the extent that a response is required, the allegations in paragraph 281 of Plaintiff's amended Complaint are denied as written.

282.

The allegations in paragraph 282 of Plaintiff's amended Complaint are denied as to this Defendant. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 282 as made against other Defendants and, therefore, such allegations must be denied.

283.

The allegations in paragraph 283 of Plaintiff's amended Complaint are denied as to this Defendant. Defendant specifically denies she had any duty to make housing

assignments or provide care or treatment for any of Plaintiff's healthcare needs. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 283 as made against other Defendants and, therefore, such allegations must be denied.

284.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 284 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

285.

The allegations in paragraph 285 of Plaintiff's amended Complaint are denied as to this Defendant. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 285 as made against other Defendants and, therefore, such allegations must be denied.

286.

In response to the allegations in paragraph 286 of Plaintiff's amended Complaint, Defendant admits only that she at all times relevant to the allegations in the amended Complaint acted under color of state law. The remaining allegations are denied as to this Defendant. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 286 as made against other Defendants and, therefore, such allegations must be denied.

287.

The allegations in paragraph 287 of Plaintiff's amended Complaint are denied as to this Defendant. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 287 as made against other Defendants and, therefore, such allegations must be denied.

288.

The allegations in paragraph 288 of Plaintiff's amended Complaint are denied.

289.

The allegations in paragraph 289 of Plaintiff's amended Complaint are denied to the extent any such allegations pertain or relate to this Defendant. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 289 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

290.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 290 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

291.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 291 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied.

292.

The allegations in paragraph 292 of Plaintiff's amended Complaint are denied.

293.

The allegations in paragraph 293 of Plaintiff's amended Complaint do not call for a response. To the extent that a response is required, the allegations are denied. Defendant denies Plaintiff is entitled to any form of relief.

294.

The allegations in paragraph 294 of Plaintiff's amended Complaint do not call for a response from this Defendant. To the extent that a response is required, the allegations are denied. Defendant denies Plaintiff is entitled to any form of relief.

## **COUNT II**

### **Eighth Amendment claim for sexual abuse (42 U.S.C. § 1983) Claim for declaratory judgment and damages against Arneika Smith**

295.

Defendant incorporates the foregoing defenses, objections, and responses as if fully restated herein in response to paragraph 295 of Plaintiff's amended Complaint.

296.

Defendant objects to the allegations in paragraph number 296 on the grounds the same calls for a legal conclusion or analysis. If a response is required, the

allegations in paragraph number 296 are denied to the extent Plaintiff alleges or implies that this Defendant sexually assaulted or abused Plaintiff in any manner whatsoever.

297.

Defendant objects to the allegations in paragraph number 297 on the grounds the same calls for a legal conclusion or analysis. If a response is required, the allegations in paragraph number 297 are denied to the extent Plaintiff alleges or implies that this Defendant sexually assaulted or abused Plaintiff in any manner whatsoever.

298.

The allegations in paragraph number 298 of Plaintiff's amended Complaint are denied.

299.

The allegations in paragraph number 299 of Plaintiff's amended Complaint are denied; Defendant specifically denies that she ever abused or assaulted Plaintiff in any manner or otherwise mistreated Plaintiff.

300.

The allegations in paragraph number 300 of Plaintiff's amended Complaint are denied.

301.

The allegations in paragraph number 301 of Plaintiff's amended Complaint are denied; Defendant specifically denies that she ever abused or assaulted Plaintiff in any manner or otherwise mistreated Plaintiff.

302.

The allegations in paragraph number 302 of Plaintiff's amended Complaint are denied.

303.

The allegations in paragraph number 303 of Plaintiff's amended Complaint are denied.

304.

The allegations in paragraph number 304 of Plaintiff's amended Complaint are denied.

### **COUNT III**

#### **Fourteenth Amendment violation of privacy (42 U.S.C. § 1983) Claims for declaratory judgment and damages against Arneika Smith**

305.

Defendant incorporates the foregoing defenses, objections, and responses as if fully restated herein in response to paragraph 305 of Plaintiff's amended Complaint.

306.

Defendant objects to the allegations in paragraph number 306 on the grounds the same calls for a legal conclusion or analysis. If a response is required, the allegations in paragraph 306 of Plaintiff's amended Complaint are denied as written and denied to the extent Plaintiff suggests Defendant violated the law.

307.

Defendant objects to the allegations in paragraph number 307 on the grounds the same calls for a legal conclusion or analysis. If a response is required, the allegations in paragraph 307 of Plaintiff's amended Complaint are denied as written and denied to the extent Plaintiff suggests Defendant violated the law.

308.

Defendant objects to the allegations in paragraph number 308 on the grounds the same calls for a legal conclusion or analysis. If a response is required, the allegations in paragraph 308 of Plaintiff's amended Complaint are denied as written and denied to the extent Plaintiff suggests Defendant violated the law.

309.

The allegations in paragraph 309 of Plaintiff's amended Complaint are denied.

310.

The allegations in paragraph 310 of Plaintiff's amended Complaint are denied.

311.

The allegations in paragraph number 311 of Plaintiff's amended Complaint are denied; Defendant specifically denies that she ever abused or assaulted Plaintiff in any manner or otherwise mistreated Plaintiff.

312.

The allegations in paragraph number 312 of Plaintiff's amended Complaint are denied; Defendant specifically denies that she ever abused or assaulted Plaintiff in any manner or otherwise mistreated Plaintiff.

313.

The allegations in paragraph number 313 of Plaintiff's amended Complaint are denied; Defendant specifically denies that she caused Plaintiff any injury or damage and further denies that Plaintiff is entitled to any form of relief.

**COUNT IV**

**Alleged Eighth Amendment unconstitutional policy, custom, or pattern  
(42 U.S.C. § 1983)**

**Claims for declaratory and injunctive relief against Defendants Ward, Lewis,  
J. Jackson, Holt, Toole, and Atchison**

314.

Defendant incorporates the foregoing defenses, objections, and responses as if fully restated herein in response to paragraph 314 of Plaintiff's amended Complaint.

315.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 315 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

316.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 316 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

317.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 317 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

318.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 318 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

319.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 319 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

320.

Defendant objects to the allegations in paragraph number 320 on the grounds the same calls for a legal conclusion or analysis. If a response is required, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 320 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

321.

Defendant objects to the allegations in paragraph number 321 on the grounds the same calls for a legal conclusion or analysis. If a response is required, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 321 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

322.

Defendant objects to the allegations in paragraph number 322 on the grounds the same calls for a legal conclusion or analysis. If a response is required, Defendant states the allegations in paragraph 322 of Plaintiff's amended Complaint are denied.

323.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 323 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

324.

The allegations in paragraph 324 of Plaintiff's amended Complaint are denied. Defendant denies that Plaintiff is entitled to any form of relief.

**COUNT V**

**Fourteenth Amendment equal protection claim (42 U.S.C. § 1983)  
Claims for declaratory and injunctive relief sought against Defendants Ward,  
Lewis, J. Jackson, Holt, Toole, and Atchison**

325.

Defendant incorporates the foregoing defenses, objections, and responses as if fully restated herein in response to paragraph 325 of Plaintiff's amended Complaint.

326.

Defendant objects to the allegations in paragraph number 326 on the grounds the same call for a legal conclusion or analysis. If a response is required, the allegations in paragraph number 326 are denied to the extent Plaintiff implies or suggests that this Defendant violated the Fourteenth Amendment.

327.

Defendant objects to the allegations in paragraph number 327 on the grounds the same call for a legal conclusion or analysis. If a response is required, the allegations in paragraph number 327 are denied as written. Defendant specifically denies she violated Plaintiff's Fourteenth Amendment equal protection rights.

328.

Defendant objects to the allegations in paragraph number 328 on the grounds the same call for a legal conclusion or analysis. If a response is required, the allegations in paragraph number 328 are denied as written. Defendant specifically denies she discriminated against Plaintiff.

329.

Defendant objects to the allegations in paragraph number 329 on the grounds the same call for a legal conclusion or analysis. If a response is required, the allegations in paragraph number 329 are denied as written. Defendant specifically denies she discriminated against Plaintiff.

330.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 330 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

331.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 331 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

332.

Defendant is without sufficient information to form a belief as to the

truthfulness of the allegations in paragraph 332 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

333.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 333 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

334.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 334 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

335.

The allegations in paragraph 335 of Plaintiff's amended Complaint are denied as to this Defendant. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 335 as made against other Defendants and, therefore, such allegations must be denied.

336.

The allegations in paragraph 336 of Plaintiff's amended Complaint are denied as to this Defendant. Defendant specifically denies she placed or kept Plaintiff in a men's prison or that she had any ability to make Plaintiff's housing assignment. Defendant is without sufficient information to form a belief as to the truthfulness of

the allegations in paragraph 336 as made against other Defendants and, therefore, such allegations must be denied.

337.

The allegations in paragraph 337 of Plaintiff's amended Complaint are denied as to this Defendant. Defendant specifically denies she placed or kept Plaintiff in a men's prison or that she had any ability to make Plaintiff's housing assignment. Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 337 as made against other Defendants and, therefore, such allegations must be denied.

338.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 338 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

339.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 339 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

340.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 340 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied.

341.

The allegations in paragraph 341 of Plaintiff's amended Complaint do not call for a response. To the extent a response is required, Defendant denies the allegations and denies Plaintiff is entitled to any form of relief.

**COUNT VI**

**Equal protection claim based on an alleged unconstitutional policy, practice,  
or custom (42 U.S.C. § 1983)**

**Claims for declaratory and injunctive relief against Defendants Ward, Lewis,  
J. Jackson, Holt, Toole, and Atchison**

342.

Defendant incorporates the foregoing defenses, objections, and responses as if fully restated herein in response to paragraph 342 of Plaintiff's amended Complaint.

343.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 343 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

344.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 344 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

345.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 345 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

346.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 346 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

347.

The allegations in paragraph 347 of Plaintiff's amended Complaint are denied. Defendant denies Plaintiff is entitled to any form of relief.

#### **COUNT VII**

**Eighth Amendment claim based on an alleged failure to provide medical care  
(42 U.S.C. § 1983)**

**Claims for damages and declaratory and injunctive relief sought against  
Defendants Lewis, J. Jackson, and Sauls**

348.

Defendant incorporates the foregoing defenses, objections, and responses as if fully restated herein in response to paragraph 348 of Plaintiff's amended Complaint.

349.

Defendant objects to the allegations in paragraph number 349 on the grounds

they call for a legal conclusion or analysis. If a response is required, the allegations in paragraph number 349 are denied as written. Defendant specifically denies the allegations to the extent the same suggest or imply this Defendant denied Plaintiff medical attention for any of Plaintiff's serious medical needs.

350.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 350 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

351.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 351 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

352.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 352 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

353.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 353 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

354.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 354 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

355.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 355 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

356.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 356 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

357.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 357 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

358.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 358 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

359.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 359 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant denies Plaintiff is entitled to any form of relief from this Defendant.

360.

The allegations in paragraph 360 of Plaintiff's amended Complaint do not call for a response. To the extent a response is required the allegations are denied. Defendant denies Plaintiff is entitled to any form of relief.

**COUNT VIII**

**Eighth Amendment claim based on an alleged unconstitutional policy, custom, or practice (42 U.S.C. § 1983)  
Claims for declaratory and injunctive relief sought against Defendants Ward, Lewis, J. Jackson, and Sauls**

361.

Defendant incorporates the foregoing defenses, objections, and responses as if fully restated herein in response to paragraph 361 of Plaintiff's amended Complaint.

362.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 362 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

363.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 363 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

364.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 364 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

365.

Defendant objects to the allegations in paragraph 365 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 365 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

366.

Defendant objects to the allegations in paragraph 366 of Plaintiff's amended Complaint on the grounds the same calls for an expert opinion outside the scope of this Defendant's expertise. Without waiving the foregoing objection, Defendant states she is without sufficient information to form a belief as to the truthfulness of

the allegations in paragraph 366 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

367.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 367 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

368.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 368 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

369.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 369 of Plaintiff's amended Complaint and, therefore, such allegations must be denied. Defendant denies Plaintiff is entitled to any form of relief.

### **COUNT IX**

**Alleged failure to train and supervise (42 U.S.C. § 1983)  
Claims for damages, declaratory and injunctive relief sought against  
Defendants Ward, Lewis, J. Jackson, Sauls, Ford, and Benton**

370.

Defendant incorporates the foregoing defenses, objections, and responses as if fully restated herein in response to paragraph 370 of Plaintiff's amended

Complaint.

371.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 371 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

372.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 372 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

373.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 373 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

374.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 374 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

375.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 375 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied.

376.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 376 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

377.

The allegations in paragraph 377 of Plaintiff's amended Complaint are denied.

378.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 378 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

379.

The allegations in paragraph 379 of Plaintiff's amended Complaint are denied.

380.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 380 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

381.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 381 of Plaintiff's amended Complaint

and, therefore, such allegations must be denied.

382.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 382 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

383.

The allegations in paragraph 383 of Plaintiff's amended Complaint are denied.

384.

Defendant is without sufficient information to form a belief as to the truthfulness of the allegations in paragraph 384 of Plaintiff's amended Complaint and, therefore, such allegations must be denied.

385.

The allegations in paragraph 385 of Plaintiff's amended Complaint do not call for a response. To the extent a response is required, the allegations are denied. Defendant denies that Plaintiff is entitled to any form of relief.

386.

The allegations in paragraph 386 of Plaintiff's amended Complaint are denied

**Plaintiff's prayer for relief**

387.

The allegations in paragraph 387 of Plaintiff's amended Complaint are denied.

Defendant denies Plaintiff is entitled to a declaratory judgment or any other form of relief.

388.

The allegations in paragraph 388 of Plaintiff's amended Complaint are denied. Defendant denies Plaintiff is entitled to declaratory judgment or any other form of relief.

389.

The allegations in paragraph 389 of Plaintiff's amended Complaint are denied. Defendant denies Plaintiff is entitled to declaratory judgment or any other form of relief.

390.

The allegations in paragraph 390 of Plaintiff's amended Complaint are denied. Defendant denies Plaintiff is entitled to declaratory judgment or any other form of relief.

391.

The allegations in paragraph 391 of Plaintiff's amended Complaint are denied. Defendant denies Plaintiff is entitled to injunctive relief or any other form of relief.

392.

The allegations in paragraph 392 of Plaintiff's amended Complaint are denied. Defendant denies Plaintiff is entitled to injunctive relief or any other form of relief.

393.

The allegations in paragraph 393 of Plaintiff's amended Complaint are denied. Defendant denies Plaintiff is entitled to injunctive relief or any other form of relief.

394.

The allegations in paragraph 394 of Plaintiff's amended Complaint including all subparts therein are denied. Defendant denies Plaintiff is entitled to injunctive relief or any other form of relief.

395.

Defendant denies Plaintiff is entitled to compensatory damages or any other form of relief.

396.

Defendant denies Plaintiff is entitled to nominal damages or any form of relief.

397.

Defendant denies Plaintiff is entitled to punitive damages or any other form of relief.

398.

Defendant denies Plaintiff is entitled to attorney's fees or costs, or reimbursement for expert fees or any other form of relief.

399.

The allegations in paragraph 399 of Plaintiff's amended Complaint are denied. Defendant denies Plaintiff is justly entitled to any form of relief from this Defendant.

400.

Defendant further denies that Plaintiff was damaged as alleged or that this Defendant caused Plaintiff any damages, injuries, or deprivations.

401.

All allegations, statements, and contentions of Plaintiff's amended Complaint not heretofore specifically admitted are denied.

WHEREFORE, Defendant prays the Court that:

- a. Judgment issue for Defendant and Plaintiff's amended Complaint be dismissed with costs and fees assessed against Plaintiff;
- b. Defendant be provided a trial by jury of 12 members;
- c. All relief requested in Plaintiff's amended Complaint be denied;  
and,
- d. The Court afford such other and further relief as it deems necessary  
and proper.

Respectfully submitted this 1<sup>st</sup> day of March, 2021.

**SATCHER & MCGOVERN LLC**

/s/ Annarita L. McGovern  
ANNARITA L. MCGOVERN  
Georgia Bar No. 098141

/s/ Terry L. Long  
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**CERTIFICATE OF SERVICE**

I certify I have this day served a true and correct copy of the within and foregoing **DEFENDANT ARNEIKA SMITH'S ANSWER AND RESPONSIVE PLEADING TO PLAINTIFF'S FIRST AMENDED COMPLAINT** upon all counsel of record with the clerk of court using the CM/ECF system which will automatically send email notification of such filing to attorneys of record:

Elizabeth Littrell  
Tyler Rose Clemons  
Maya G. Rajaratnam  
Southern Poverty Law Center  
A. Chinyere Ezie  
Center for Constitutional Rights  
***Counsel for Plaintiff***

Kyle Brooks  
Assistant Attorney General  
Office of the Attorney General  
***Counsel for Co-Defendants***

This 1<sup>st</sup> day of March, 2021.

**SATCHER & MCGOVERN LLC**

/s/ Annarita L. McGovern  
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