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7 Attorneys for Defendant
8 OC HELICOPTERS, LLC

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES – VAN NUYS**

11 JOHN JAMES ALTOBELLI, an individual
12 and as Successor in Interest to ALYSSA
13 ALTOBELLI, JOHN ALTOBELLI, and KERI
14 ALTOBELLI; ALEXIS ALTOBELLI, a
15 minor, by and through her Guardian JOHN
16 JAMES ALTOBELLI;

17 Plaintiffs,

18 v.

19 ISLAND EXPRESS HELICOPTERS, INC., a
20 California Corporation; ISLAND EXPRESS
21 HOLDING CORP., a California Corporation
22 and DOES 1-50,

23 Defendants.

CASE NO. 20STCV14963

Assigned to the Honorable Virginia Keeny,
Dept. W

**OC HELICOPTERS, LLC'S ANSWER
TO COMPLAINT OF JOHN JAMES
ALTOBELLI, *ET AL.***

1 Defendant OC HELICOPTERS, LLC (“Defendant”), for itself and itself alone, answers
2 the Complaint filed by JOHN JAMES ALTOBELLI, an individual and as Successor in Interest
3 to ALYSSA ALTOBELLI, JOHN ALTOBELLI, and KERI ALTOBELLI; ALEXIS
4 ALTOBELLI, a minor, by and through her Guardian JOHN JAMES ALTOBELLI (collectively
5 “Plaintiffs”), as follows:

6 The Complaint in this matter being unverified, Defendant, pursuant to section 431.30(d)
7 of the Code of Civil Procedure, now files its General Denial to the unverified Complaint, and in
8 answering all the allegations contained therein, denies generally and specifically each cause of
9 action contained therein, and further denies that Plaintiffs have sustained or will sustain
10 damages in the sums alleged, or in any other sum or sums, or at all because of Defendant’s
11 conduct.

12 For further and separate answers to Plaintiffs’ Complaint, and by way of affirmative
13 defenses, Defendant alleges as follows:

14 **FIRST AFFIRMATIVE DEFENSE**

15 Defendant is informed and believes, and based thereon alleges, that the Complaint, and
16 each cause of action therein, fails to state facts sufficient to constitute any cause of action.

17 **SECOND AFFIRMATIVE DEFENSE**

18 Defendant is informed and believes, and based thereon alleges, that Plaintiffs, or any of
19 them, are barred from obtaining relief because the injuries and damages allegedly sustained by
20 Plaintiffs, if any, were legally caused by the intervening and superseding actions of others,
21 which intervening and superseding actions bar or diminish Plaintiffs’ recovery, if any, against
22 this answering Defendant.

23 **THIRD AFFIRMATIVE DEFENSE**

24 Defendant is informed and believes, and based thereon alleges, that Plaintiffs’ damages,
25 if any, were actually and legally caused, in whole or in part, by the negligence or other fault of
26 third parties, persons, corporations, or entities, and, by reason thereby, Plaintiffs’ alleged

1 injuries and damages, if any, should be reduced according to the proportion of comparative
2 fault attributable to said third parties, persons, corporations, or entities.

3 **FOURTH AFFIRMATIVE DEFENSE**

4 Defendant is informed and believes, and based thereon alleges, that if Plaintiffs suffered
5 damages or injury as alleged in the Complaint, such damage and injury, if any, was the result of
6 the sole, primary, affirmative, and active negligence and/or fault of other named defendants
7 and/or other persons or entities not presently known to this answering Defendant, and
8 Defendant is thereby entitled to full indemnity and contribution from them.

9 **FIFTH AFFIRMATIVE DEFENSE**

10 Defendant is informed and believes, and based thereon alleges, that its acts, as it
11 pertains to the allegations contained in the Complaint, were reasonable, privileged, justified,
12 lawful, and undertaken in good faith compliance with all applicable laws, statutes, regulations,
13 and contractual obligations.

14 **SIXTH AFFIRMATIVE DEFENSE**

15 Defendant is informed and believes, and based thereon alleges, that Plaintiffs, or any of
16 them, are barred from obtaining relief because any duty or obligation allegedly owed to
17 Plaintiffs, contractual or otherwise, has been fully performed, satisfied, excused, and/or
18 discharged.

19 **SEVENTH AFFIRMATIVE DEFENSE**

20 Defendant is informed and believes, and based thereon alleges, that there is no causal
21 connection between the damages alleged in the Complaint and any act or omission attributable
22 to answering Defendant.

23 **EIGHTH AFFIRMATIVE DEFENSE**

24 Defendant is informed and believes, and based thereon alleges, that the Complaint, and
25 each cause of action therein, fails to the extent that Defendant was not the proximate cause or
26 legal cause of Plaintiffs' injury.

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WHEREFORE, Defendant prays:

1. That Plaintiffs take nothing by their Complaint;
2. That Defendant be awarded its costs of suit in defense of Plaintiffs' Complaint;
3. For such other and further relief as the Court deems proper.

Dated: November 4, 2020

LAW OFFICES OF DINA ADHAM

By:



DINA ADHAM
Attorney for Defendant
OC HELICOPTERS, LLC

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PROOF OF SERVICE

1013a(3) CCP

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1230 Rosecrans Avenue, Suite 300, PMB 698, Manhattan Beach, California 90266. My address for electronic service is dadham@adhamlawgroup.com.

On the date below, I electronically served the foregoing document(s), described as

OC HELICOPTERS, LLC'S ANSWER TO COMPLAINT OF JOHN JAMES ALTOBELLI, ET AL.

on each of the interested parties in this action by attaching the original a true and correct PDF copy thereof addressed as follows:

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on November 4, 2020, at Redondo Beach, California.

Dina Adham


Signature

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SERVICE LIST

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