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7 Attorneys for Defendant
STEVE HARVEY

8 UNITED STATES DISTRICT COURT
9
10 CENTRAL DISTRICT OF CALIFORNIA

11 WE 3 KINGS, INC.,) Case No.: CV14-08816-DSF (ASx)
12)
Plaintiff,) Assigned to Hon. Dale S. Fischer
13)
v.) **ANSWER TO COMPLAINT BY**
14) **DEFENDANT STEVE HARVEY**
15 THE STEVE HARVEY SHOW,)
ENDEMOL USA, INC., et al.,) Complaint filed November 13, 2014
16 Defendants.)
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18 By and through his undersigned counsel, Loeb & Loeb LLP, Defendant Steve
19 Harvey ("Harvey") submits the following Answer to Plaintiff's Complaint.

20 1. Harvey lacks information and belief sufficient to admit or deny the
21 allegations of Paragraph 1 of the Complaint, and on that basis denies them.

22 2. To the extent the allegations of Paragraph 2 of the Complaint are
23 directed at Defendant Harvey, Harvey denies them. To the extent the allegations of
24 Paragraph 2 are directed at other Defendants, Harvey lacks information and belief
25 sufficient to admit or deny them, and on that basis denies them.

26 3. Harvey admits that Plaintiff asserts claims under the Copyright Act, but
27 denies that such claims have merit, and denies the remaining allegations of
28

1 Paragraph 3.

2 4. Harvey lacks information and belief sufficient to admit or deny the
3 allegations of Paragraph 4 of the Complaint, and on that basis denies them.

4 5. Harvey lacks information and belief sufficient to admit or deny the
5 allegations of Paragraph 5 of the Complaint, and on that basis denies them.

6 6. Harvey denies the allegations of Paragraph 6.

7 7. Harvey incorporates by reference the responses to Paragraphs 1-6 as
8 though fully set forth herein.

9 8. Harvey denies the allegations of Paragraph 8.

10 9. Harvey denies the allegations of Paragraph 9.

11 10. Harvey denies the allegations of Paragraph 10.

12 11. Harvey incorporates by reference the responses to Paragraphs 1-10 as
13 though fully set forth herein.

14 12. Harvey denies the allegations of Paragraph 12.

15 13. Harvey denies the allegations of Paragraph 13.

16 14. Harvey incorporates by reference the responses to Paragraphs 1-13 as
17 though fully set forth herein.

18 15. Harvey denies the allegations of Paragraph 15.

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22 **AFFIRMATIVE DEFENSES**

23 Harvey submits the following defenses, without assuming the burden of proof
24 on such defenses that would otherwise rest with the Plaintiff:

25 **First Affirmative Defense**

26 (Failure to State a Claim)

27 The Complaint, and the claims for relief alleged therein, fail to state a claim
28 upon which relief can be granted.

Second Affirmative Defense

(Estoppel and Waiver)

Plaintiff's claims are barred, in whole or in part, by legal estoppel, equitable estoppel, and/or waiver.

Third Affirmative Defense

(License)

Plaintiff's claims are barred, in whole or in part, by implied and/or express license.

Fourth Affirmative Defense

(Laches)

Plaintiff's claims are barred, in whole or in part, by the doctrine of laches.

Fifth Affirmative Defense

(Misuse of Copyright)

Plaintiff's claims are barred, in whole or in part, by misuse of copyright.

Harvey reserves all rights with respect to affirmative defenses that may be revealed during the course of discovery.

Dated: January 12, 2015

LOEB & LOEB LLP

By: /s/ David Grossman

David Grossman
Barry I. Slotnick
Thomas D. Nolan

Attorneys for Defendant STEVE
HARVEY