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7 Plaintiff,  
8 IN PRO PER

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 FOR THE LOS ANGELES COUNTY – CENTRAL DISTRICT

11 DES MANTTARI,

12 Plaintiff,

13 vs.

14 THOMAS J. BAKER, AND DOES 1  
15 THROUGH 20, INCLUSIVE.

16 Defendants.

17 ) Case No. BC356367

18 ) **PLAINTIFF DES MANTTARI'S**  
19 ) **MOTION TO STRIKE**  
20 ) **DEFENDANT'S ANSWER**

21 ) [This Motion to Strike is accompanied by  
22 ) a Demurrer]

23 ) Date: November 9, 2006  
24 ) Time: 9:00 a.m.  
25 ) Dept.: 16

26 ) [Case Assigned to Judge Rita Miller]

27 ) Discovery & Motion Cutoff: None Set  
28 ) Trial Date: None

**TO ALL PARTIES AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD:**

29 Plaintiff Des Manttari hereby moves to strike the Answer filed by Defendant  
30 THOMAS J. BAKER, as follows:

**PLAINTIFF DES MANTTARI'S MOTION TO STRIKE DEFENDANT'S ANSWER**

1           1.       All or part of the answer contains irrelevant, false, and improper matter  
2 inserted into the pleading.

3           2.       All or part of the answer has not been drawn or filed in conformity with the  
4 laws of this state or a court rule.

5           3.       The answer asserts only affirmative defenses that are wholly irrelevant to the  
6 causes of action alleged in the complaint, and that it otherwise admits the material allegations  
7 of the complaint or as the case may be, and fails to state the legal grounds or legal theory  
8 upon which they are based.

9           4.       As to Defendant's answer, mailed via certified mail on or about August 31,  
10 2006 (attached and incorporated to Plaintiff's Declaration in Support as **Exhibit 1**), Plaintiff  
11 moves to strike the Answer in its entirety as it was has not been drawn or filed in conformity  
12 with the laws of this state or a court rule as it contains no proof of service by mail, bears no  
13 file stamp from this court, is inconsistent with the previous answer served via substitute  
14 personal service on or about August 28, 2006, and does not contain or include any of the  
15 referenced exhibits.

16           5.       As to Defendant's answer, filed on or about August 25, 2006, and served on  
17 Plaintiff via personal substitute service, Plaintiff moves to strike the portions of this answer  
18 as contained in the following enumerated paragraphs contained below and incorporated  
19 herewith.

20           6.       Plaintiff moves to strike in its entirety **Paragraph 0** in Defendant's Answer as  
21 it has not been drawn or filed in conformity with the laws of this state or a court rule in that  
22 pursuant to 2006 California Rules of Court, Rule 201 (h), Defendant has made hand-written  
23 corrections, at page 1, line 25, changing the total pages filed with the Court from "207" to  
24 "205" without any initials by the clerk or judge at the time of filing.

25           7.       Plaintiff moves to strike in its entirety **Paragraph 2** in Defendant's Answer as  
26 this information is within Defendant's grasp and contradictory to his other answers and  
27 affirmative defenses. Although Defendant denies on information and belief that Plaintiff was  
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1 a student at Santa Monica College, Defendant makes numerous references to her status (and  
2 erroneously of her “expulsion”) as such in other parts of his answer and attached exhibits.  
3 [See: Defendant’s Answer, Paragraphs 13, 46, 47, 52, 54, and 57, inclusive and Exhibits E  
4 and J (at page 3)].

5 8. Plaintiff moves to strike in its entirety **Paragraph 13** in Defendant’s Answer  
6 as this information is within Defendant’s grasp and contradictory to his other answers and  
7 affirmative defenses and two exhibits in support. Thus this paragraph of Defendant’s answer  
8 is a sham and evasive and is subject to be stricken out or disregarded.

9 9. Plaintiff moves to strike in its entirety **Paragraph 15** in Defendant’s Answer  
10 as this information is within Defendant’s grasp and contradictory to his other answers and  
11 affirmative defenses and exhibits in support. Thus this paragraph of Defendant’s answer is a  
12 sham and evasive and is subject to be stricken out or disregarded.

13 10. Plaintiff moves to strike in its entirety **Paragraph 16** in Defendant’s Answer  
14 as this information is within Defendant’s grasp and contradictory to his other answers and  
15 affirmative defenses and exhibits in support. Thus this paragraph of Defendant’s answer is a  
16 sham and evasive and is subject to be stricken out or disregarded.

17 11. Plaintiff moves to strike in its entirety **Paragraph 17** in Defendant’s Answer  
18 as it contains the identical response as Paragraph 18 as follows: “Answering the allegations  
19 of Paragraph 18, Defendant denies both generally and specifically each and every allegation  
20 of said Paragraph.”

21 12. Plaintiff moves to strike in its entirety **Paragraph 20** in Defendant’s Answer  
22 as it contains the identical response as Paragraph 2 as follows: “Answering the allegations in  
23 paragraph 2, Defendant has no information or belief on which to form an opinion or belief,  
24 and therefore, denies both generally and specifically each and every allegation contained  
25 therein.”

26 13. Plaintiff moves to strike in its entirety **Paragraph 23** in Defendant’s Answer  
27 as it contains the identical response as Paragraph 21 as follows: “Answering the allegations  
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1 of Paragraph 21, Defendant denies both generally and specifically each and every allegation  
2 of said Paragraph.”

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4 14. Plaintiff moves to strike the following portion of **Paragraph 27** in  
5 Defendant’s Answer as this information is within Defendant’s grasp and contradictory to his  
6 other answers and affirmative defenses and exhibits in support: “Except as specifically  
7 admitted herein, Defendant has no information or belief on which to form an opinion or  
8 belief, and therefore, denies both generally and specifically each and every allegation  
9 contained therein.” Defendant cannot deny on “information and belief” a document he admits  
10 in the same paragraph that he himself wrote and to which he attaches in his answer as Exhibit  
11 Q (SMCPD incident report number 06-03-24-07448). Thus this portion of paragraph 27 of  
12 Defendant’s answer is a sham and evasive and is subject to be stricken out or disregarded.

13 15. Plaintiff moves to strike in its entirety **Paragraph 28** in Defendant’s Answer  
14 as this information is within Defendant’s grasp and contradictory to his other answers and  
15 affirmative defenses and exhibits in support. Defendant previously admits in his Answer at  
16 Paragraph 27 that he wrote the unsigned statement to the SMCPD as set forth in Plaintiff’s  
17 complaint, paragraph 27 (see also: Plaintiff’s Exhibit B). In Plaintiff’s complaint, paragraph  
18 28, Plaintiff quotes verbatim statements from Defendant’s written statement to the SMCPD,  
19 which Plaintiff alleges are defamatory and false. Defendant cannot deny this “on information  
20 and belief.” The same is true as to when this trade show transpired, as Defendant by virtue of  
21 his statements attended it. Thus this paragraph of Defendant’s answer is a sham and evasive  
22 and is subject to be stricken out or disregarded.

23 16. Plaintiff moves to strike in its entirety **Paragraph 29** in Defendant’s Answer  
24 as this information is within Defendant’s grasp and contradictory to his other answers and  
25 affirmative defenses and exhibits in support. Defendant submits as Exhibit H to his answer a  
26 temporary restraining order filed against him. Plaintiff’s Exhibit C refers to the answer that  
27 Defendant signed “under penalty of perjury.” In Plaintiff’s complaint, paragraph 28, Plaintiff

1 quotes verbatim from her Exhibit C several statements signed under penalty of perjury by  
2 Defendant. Defendant answers in relevant part the following: “Answering the allegations of  
3 Paragraph 29, Defendant denies both generally and specifically each and every allegation of  
4 said Paragraph.” However, Defendant immediately uses Plaintiff’s Exhibit C, to which he  
5 has denied, as a defense, going so far as to quote from it. Thus this paragraph of Defendant’s  
6 answer is a sham and evasive and is subject to be stricken out or disregarded.

7           17. Plaintiff moves to strike in its entirety **Paragraph 30** in Defendant’s Answer  
8 as this information is within Defendant’s grasp and contradictory to his other answers and  
9 affirmative defenses and exhibits in support and contains irrelevant, false, and improper  
10 matter inserted into the answer. Again, Plaintiff is quoting from a written statement from  
11 Defendant as set forth in Plaintiff’s paragraph 30 and her Exhibit B, which Defendant has  
12 admitted in paragraph 27 of his answer as a statement which was part of the SMCPD incident  
13 report. In relevant part, Defendant wrote the following: “Later on I heard second hand, which  
14 was later verified in her own statements on her website, and then later on again by students  
15 who witnessed the episode, about death threats she made against certain employees of the  
16 Academy of Entertainment and Technology.” (Plaintiff’s Complaint, paragraph 30).  
17 [emphasis added]. On the face of Plaintiff’s complaint, Plaintiff alleges that Defendant wrote  
18 this statement to the SMCPD on or about March 24, 2006 (Plaintiff’s Complaint, paragraph  
19 27), to which Defendant admits (Defendant’s Answer, paragraph 27). Therefore, the portion  
20 of Defendant’s statement that alleges that death threats “which was later verified in her own  
21 statements on her website”, on its face, must occur either prior to or about March 24, 2006.  
22 However, Defendant’s supporting Exhibit C, on its face, is an article which is dated  
23 “Monday, May 29, 2006”, over two months later. Defendant’s supporting Exhibit D inserts  
24 irrelevant and false material unrelated this action as there is no “verification” anywhere in  
25 the 11-page exhibit that Plaintiff made “death threats” to anyone. Accordingly, Exhibit D, on  
26 its face, lack merit to Defendant’s Defense. Thus this paragraph of Defendant’s answer is a  
27 sham and evasive and is subject to be stricken out or disregarded.

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18. Plaintiff moves to strike in its entirety **Paragraph 31** in Defendant’s Answer as this information is within Defendant’s grasp and contradictory to his other answers and affirmative defenses and exhibits. Plaintiff references and incorporates her previous objections and motion to strike Paragraph 30 of Defendant’s Answer and makes it a part herein. By virtue of Defendant’s inclusion of Exhibit D in his answer to Plaintiff’s paragraph 30, Defendant has attempted to justify his statements that Plaintiff “verified” various ‘death threats’ on her website. Since Defendant has been unable to do this and fails to show a single quote on Plaintiff’s website and makes a general bald denial without substantiated facts, his answer in Paragraph 31 fails. Thus this paragraph of Defendant’s answer is a sham and evasive and is subject to be stricken out or disregarded.

19. Plaintiff moves to strike in its entirety **Paragraph 32** in Defendant’s Answer as this information is within Defendant’s grasp and contradictory to his other answers and affirmative defenses and exhibits in support. Defendant previously admits in his Answer at Paragraph 27 that he wrote the unsigned statement to the SMCPD as set forth in Plaintiff’s complaint, paragraph 27 (see also: Plaintiff’s Exhibit B). In Plaintiff’s complaint, paragraph 32, Plaintiff quotes verbatim a statement from Defendant’s written statement to the SMCPD, which Plaintiff alleges is defamatory and false as follows: “I have also heard that she may be on medication for a mental illness, although I haven’t been able to find any documentation corroborating that. The only evidence I have is her truly strange and mean-spirited behavior.” This defamatory written statement is perhaps the heart of this entire lawsuit. Since Defendant wrote it, he cannot deny it based on lack of “information or belief on which to form an opinion or belief.” Since Defendant cannot either offer a defense proving that Plaintiff was “on medication for a mental illness” or admit that this statement was false, he has evaded the issue entirely at the prejudice of Plaintiff. Furthermore, Defendant has not set forth a defense

1 for his allegations and “evidence” of Plaintiff’s “truly strange and mean-spirited behavior.”  
2 Thus this paragraph of Defendant’s answer is a sham and evasive and is subject to be  
3 stricken out or disregarded.

4 20. Plaintiff moves to strike in its entirety **Paragraph 33** in Defendant’s Answer  
5 as this information is within Defendant’s grasp and contradictory to his other answers and  
6 affirmative defenses and exhibits. Plaintiff references and incorporates her previous  
7 objections and motion to strike Paragraph 32 of Defendant’s Answer and makes it a part  
8 herein. By virtue of Defendant’s evasive denial of information within his grasp in a written  
9 statement he confirmed to have written, his answer in Paragraph 33 fails. Defendant is either  
10 under an obligation to either admit or deny that Plaintiff had a “mental illness” or was on  
11 “medication for a mental illness” Thus this paragraph of Defendant’s answer is a sham and  
12 evasive and is subject to be stricken out or disregarded.

13 21. Plaintiff moves to strike in its entirety **Paragraph 36** in Defendant’s Answer  
14 as this information is within Defendant’s grasp and contradictory to his other answers and  
15 affirmative defenses and exhibits in support. Defendant previously admits in his Answer at  
16 Paragraph 27 that he wrote the unsigned statement to the SMCPD as set forth in Plaintiff’s  
17 complaint, paragraph 27 (see also: Plaintiff’s Exhibit B). In Plaintiff’s complaint, paragraph  
18 36, Plaintiff quotes verbatim a statement from Defendant’s written statement to the SMCPD,  
19 which Plaintiff alleges is defamatory and false as follows: “I saw Des, having recognized her  
20 from E3 and realized, due to her death threats, stated arrests, abnormal behavior and attitude  
21 that I had to intercede somehow fearing for the safety of those at the meeting.” Since  
22 Defendant wrote it, he cannot deny it based on “information and belief.” Defendant’s  
23 Exhibits A through D, respectively, are irrelevant hearsay evidence not supported by facts or  
24 arguments. Defendant makes no factual showing that “he had to intercede somehow fearing  
25 for the safety of those at the meeting” nor how Plaintiff’s behavior was “abnormal.”  
26 Furthermore, Defendant provides no factual showing of “death threats” or “stated arrests.”  
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1 Thus this paragraph of Defendant’s answer is a sham and evasive and is subject to be  
2 stricken out or disregarded.

3 22. Plaintiff moves to strike in its entirety **Paragraph 37** in Defendant’s Answer  
4 as it contains the identical response as Paragraph 28 as follows: “Answering the allegations  
5 of Paragraph 28, Defendant denies, on information and belief, both generally and specifically  
6 each and every allegation of said Paragraph.”

7 23. Plaintiff moves to strike in its entirety **Paragraph 38** in Defendant’s Answer  
8 as this information is within Defendant’s grasp and contradictory to his other answers and  
9 affirmative defenses and exhibits. In Defendant’s answer at paragraph 36, he attempts to  
10 insert irrelevant, false, and improper exhibits in support of his defense that Plaintiff had been  
11 arrested. Thus, he cannot now deny the same for lack of “information or belief on which to  
12 form an opinion.” Based on the face of Plaintiff’s allegations in her complaint at paragraph  
13 38, either Defendant had met Plaintiff only once (to wit, March 24, 2006) or he had to.  
14 Similarly, either Plaintiff had been arrested on the Santa Monica College campus or she had  
15 not. Since Defendant has previously admitted writing the statement to the SMCPD  
16 concerning Plaintiff’s “stated arrests,” he cannot now deny such on information and belief,  
17 and provides no factual showing to refute Plaintiff’s allegations that his statements were  
18 defamatory. Thus this paragraph of Defendant’s answer is a sham and evasive and is subject  
19 to be stricken out or disregarded.

20 24. Plaintiff moves to strike in its entirety **Paragraph 50** in Defendant’s Answer  
21 as it is irrelevant, false, and improper as Plaintiff’s complaint does not have a “Paragraph  
22 \*\*\*.” Plaintiff is left in the dark precisely what Defendant is denying.

23 25. Plaintiff moves to strike in its entirety the **First Affirmative Defense** in  
24 Defendant’s Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
25 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
26 required notice of its legal basis. The claim that “Plaintiff is using suit to collect profits from  
27 advertising on Plaintiff’s website, and Plaintiff intends for any further action resulting from  
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1 suit to be publicized and collect profits” is a unfounded attack against Plaintiff that does not  
2 discharge Defendant from his obligations not to make defamatory statements and is not  
3 supported by applicable law. Furthermore, Defendant’s Exhibits F and G, respectively, in  
4 support of his erroneous and false contentions are not factually sound. Defendant does not  
5 provide any financial statements or payments from “banner advertising” showing that  
6 Plaintiff has profited by publication of any litigation at issue here before the Court nor does  
7 Defendant make any factual showing that this is relevant to Plaintiff’s complaint for  
8 defamation.

9         26. Plaintiff moves to strike in its entirety the **Second Affirmative Defense** in  
10 Defendant’s Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
11 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
12 required notice of its legal basis. Defendant launches into a lengthy and convoluted diatribe  
13 that is inflammatory, without foundation, spurious, irrelevant, and serves no legitimate  
14 purpose. Defendant make any factual or legal showing that this is relevant to Plaintiff’s  
15 complaint for defamation. Plaintiff incorporates her previous objections and motion to strike  
16 Defendant’s Exhibits H and I, respectively, and further moves to strike such exhibits on the  
17 grounds that they are irrelevant to this matter. Plaintiff further moves to strike in that  
18 pursuant to 2006 California Rules of Court, Rule 201 (h), Defendant has made hand-written  
19 corrections, at page 9, line 7, changing the word “Defendant” to “Plaintiff” without any  
20 initials by the clerk or judge at the time of filing.

21         27. Plaintiff moves to strike in its entirety the **Third Affirmative Defense** in  
22 Defendant’s Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
23 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
24 required notice of its legal basis. Defendant states the following: “Plaintiff consented, and  
25 requested the public disclosure of information related to the reasons Plaintiff was being  
26 asked to leave the March 24<sup>th</sup> 2006 Game Club meeting.” Not only is there no theory of law  
27 behind this defense, there are no facts to support his contentions. Defendant does not

1 specifically describe what “information” Plaintiff “consented” to or “requested” or what  
2 “reasons” he’s referring to. Defendant’s Exhibit B makes no specific references that would  
3 clarify this issue.

4         28. Plaintiff moves to strike in its entirety the **Fourth Affirmative Defense** in  
5 Defendant’s Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
6 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
7 required notice of its legal basis. Defendant states in relevant part: “The Plaintiff was  
8 suspended from Santa Monica College due, but not limited to, the same allegations listed  
9 within this suit.” Not only is there no theory of law behind this defense, there are no facts to  
10 support his contentions. Defendant contradicts his facts when he changes the “suspension” to  
11 an “expulsion.” Defendant’s Exhibit B is evidentiary hearsay and does not make any specific  
12 references.

13         29. Plaintiff moves to strike in its entirety the **Fifth Affirmative Defense** in  
14 Defendant’s Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
15 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
16 required notice of its legal basis. Defendant states the following: “The Plaintiff was aware of  
17 the allegations that the Defendant referred to during the incident on March 24, 2006.” Not  
18 only is there no theory of law behind this defense, there are no facts. Plaintiff is at a complete  
19 loss precisely which “allegations” to which Defendant purports she was obligated to be  
20 aware. Rather than shedding light on Defendant’s vague defense, his two supporting exhibits,  
21 Exhibits D and K, respectively, only confuse the issue further by providing irrelevant and  
22 voluminous material that is not specifically referenced. (Exhibit K alone is 65-page.)

23         30. Plaintiff moves to strike in its entirety the **Sixth Affirmative Defense** in  
24 Defendant’s Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
25 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
26 required notice of its legal basis. Defendant states in relevant part: “The Plaintiff has a  
27 history of prior, unsubstantiated legal action against the Defendant.” Not only is there no  
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1 theory of law behind this defense, there are no facts to support his contentions. Defendant's  
2 Exhibit I is a case in which Plaintiff Manttari was never a party. Defendant's Exhibit H is  
3 simply irrelevant to this case and occurring after the operative allegations contained in  
4 Plaintiff's complaint. Furthermore, Defendant makes no showing that the case in Exhibit H  
5 was an "unsubstantiated legal action."

6 31. Plaintiff moves to strike in its entirety the **Seventh Affirmative Defense** in  
7 Defendant's Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
8 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
9 required notice of its legal basis. Defendant states the following: "The statement included by  
10 the Plaintiff in her list of exhibits is not mentioned or listed in an way as a reason for  
11 Plaintiff's suspension from Santa Monica College." Not only is there no theory of law behind  
12 this defense, there are no facts. Plaintiff is at a complete loss precisely which "statement" to  
13 which of Plaintiff's "list of exhibit" Defendant is referring to. Rather than shedding light on  
14 Defendant's vague defense, his supporting Exhibits B, only confuse the issue further by  
15 providing hearsay evidence that is contradictory in that he now changes Plaintiff's  
16 "suspension" to an "expulsion."

17 32. Plaintiff moves to strike in its entirety the **Eighth Affirmative Defense** in  
18 Defendant's Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
19 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
20 required notice of its legal basis. Defendant states in relevant part: "The Plaintiff has made  
21 published threats on her website of suits against the Defendant in an effort to make such  
22 threats 'heard' by Santa Monica College." There is no legal ground for this defense and it is  
23 irrelevant to this action, whether it is accepted on its face as true or not. Defendant's Exhibit  
24 L does not make any specific reference or argument to support his defense and should be  
25 stricken.

26 33. Plaintiff moves to strike in its entirety the **Ninth Affirmative Defense** in  
27 Defendant's Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
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1 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
2 required notice of its legal basis. Defendant states in relevant part: “Plaintiff has a history of  
3 prior police incidents at Santa Monica College dating back at least as far as April 20<sup>th</sup> 2005.”  
4 There is no legal grounds for this defense, no supporting facts, and simply irrelevant.  
5 Although Defendant’s Exhibit B alleges “numerous incidents of police being called”, this is  
6 simply hearsay evidence that does not address the face of Plaintiff’s complaint of  
7 Defendant’s libelous statements of Plaintiff having been “arrested” on the Santa Monica  
8 College campus. Defendant’s Exhibit M is equally defective as it is merely a collection of  
9 SMCPD police incident “logs” that do not show on their face any “arrests” of Plaintiff.  
10 Defendant makes no reference nor highlights any incidents in his exhibit that relate to  
11 Plaintiff. Thus, his conclusory arguments are vague, ambiguous and irrelevant. Plaintiff  
12 incorporates her previous objections and motion to strike Defendant’s Exhibit N and further  
13 moves to strike such exhibit on the grounds that it is improper and irrelevant to this matter.

14         34. Plaintiff moves to strike in its entirety the **Tenth Affirmative Defense** in  
15 Defendant’s Answer as it is irrelevant, false, and improper and has not been drawn or filed in  
16 conformity with the law as it is inadequately pled, for its failure to give the Plaintiff the  
17 required notice of its legal basis. Plaintiff has not raised any issue on the face of her  
18 complaint regarding Defendant’s standing or lack thereof at Santa Monica College. Even if  
19 Defendant were the star student at school, this defense does not excuse him under any legal  
20 theory for allegedly defamatory statements made against the Plaintiff on or about March 24,  
21 2006. Furthermore, Defendant’s “letters of support” (Exhibits P and Q, respectively) are  
22 hearsay evidence. Moreover, Defendant’s two aforementioned exhibits make no reference to  
23 Plaintiff and are thus irrelevant. This affirmative defense is without any legal or factual basis,  
24 and should be stricken. In any event, the defense is immaterial and insufficient as a matter of  
25 law.

26         35. Plaintiff moves to strike in its entirety **Exhibit A** in Defendant’s Answer as it  
27 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
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1 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
2 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

3 36. Plaintiff moves to strike in its entirety **Exhibit B** in Defendant's Answer as it  
4 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
5 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
6 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

7 37. Plaintiff moves to strike in its entirety **Exhibit C** in Defendant's Answer as it  
8 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
9 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
10 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

11 38. Plaintiff moves to strike in its entirety **Exhibit D** in Defendant's Answer as it  
12 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
13 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
14 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

15 39. Plaintiff moves to strike in its entirety **Exhibit E** in Defendant's Answer as it  
16 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
17 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
18 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

19 40. Plaintiff moves to strike in its entirety **Exhibit F** in Defendant's Answer as it  
20 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
21 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
22 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

23 41. Plaintiff moves to strike in its entirety **Exhibit G** in Defendant's Answer as it  
24 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
25 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
26 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.  
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1           42. Plaintiff moves to strike in its entirety **Exhibit H** in Defendant's Answer as it  
2 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
3 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
4 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.  
5 This case, Des Manttari v. Thomas J. Baker, LASC BS102956, involves a Notice of Hearing  
6 and Temporary Restraining Order to protect Manttari from further harassment by Baker. This  
7 case was filed on May 3, 2005, well over a month from the date of the alleged slander and  
8 libel by Defendant Baker on or about March 24, 2006. The inclusion of this pleading would  
9 prejudice Plaintiff in this matter in that Defendant Baker is attempting to litigate the merits of  
10 this case as part of his defense.

11           43. Plaintiff moves to strike in its entirety **Exhibit I** in Defendant's Answer as it  
12 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
13 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
14 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.  
15 Defendant's Exhibit I has no relation to this action or Plaintiff Manttari whatsoever. This  
16 case, Lindsay Berkovitz v. Thomas J. Baker, LASC BS102957, involves a Notice of Hearing  
17 and Temporary Restraining Order to which Plaintiff Manttari is not a party to the action. This  
18 case was filed on May 3, 2005, well over a month from the date of the alleged slander and  
19 libel by Defendant Baker on or about March 24, 2006.

20           44. Plaintiff moves to strike in its entirety **Exhibit J** in Defendant's Answer as it  
21 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
22 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
23 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

24           45. Plaintiff moves to strike in its entirety **Exhibit K** in Defendant's Answer as it  
25 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
26 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
27 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

1           46. Plaintiff moves to strike in its entirety **Exhibit L** in Defendant's Answer as it  
2 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
3 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
4 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

5           47. Plaintiff moves to strike in its entirety **Exhibit M** in Defendant's Answer as it  
6 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
7 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
8 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

9           48. Plaintiff moves to strike in its entirety **Exhibit N** in Defendant's Answer as it  
10 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
11 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
12 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

13 Plaintiff additionally moves to strike this exhibit as false as it is not an official court  
14 document, bearing no signatures or seal from this court. Defendant's Exhibit N has no  
15 relation to this action or Defendant Baker whatsoever, as he was neither a party nor witness.  
16 This case, Martin B. Schapiro Exodus Trust, et. al. v. Santa Monica Community College  
17 District, et. al., LASC Case No. BS099138, involves a dispute over public records between at  
18 least one unrelated party to this action and Santa Monica Community College District, et. al.  
19 None of the records sought under the California Public Records Act referenced or involved  
20 Defendant Baker as is evident on its face.

21           49. Plaintiff moves to strike in its entirety **Exhibit O** in Defendant's Answer as it  
22 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
23 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
24 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.  
25 Plaintiff further moves to strike this exhibit as it contains confidential student identification  
26 information of the Plaintiff that is prejudicial to Plaintiff and should not have been disclosed  
27 and filed.

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28           **PLAINTIFF DES MANTTARI'S MOTION TO STRIKE DEFENDANT'S ANSWER**

1           50. Plaintiff moves to strike in its entirety **Exhibit P** in Defendant's Answer as it  
2 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
3 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
4 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

5           51. Plaintiff moves to strike in its entirety **Exhibit Q** in Defendant's Answer as it  
6 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
7 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
8 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.

9           52. Plaintiff moves to strike in its entirety **Exhibit R** in Defendant's Answer as it  
10 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
11 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
12 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.  
13 Plaintiff further moves to strike this exhibit, as it is not referenced or made a part of any  
14 paragraph, 0 through 60, inclusive, in Defendant's Answer and that Plaintiff would be  
15 prejudiced by its inclusion.

16           53. Plaintiff moves to strike in its entirety **Exhibit S** in Defendant's Answer as it  
17 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
18 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
19 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.  
20 Plaintiff further moves to strike this exhibit, as it is not referenced or made a part of any  
21 paragraph, 0 through 60, inclusive, in Defendant's Answer and that Plaintiff would be  
22 prejudiced by its inclusion.

23           54. Plaintiff moves to strike in its entirety **Exhibit T** in Defendant's Answer as it  
24 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
25 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
26 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.  
27 Plaintiff further moves to strike this exhibit, as it is not referenced or made a part of any  
28

1 paragraph, 0 through 60, inclusive, in Defendant's Answer and that Plaintiff would be  
2 prejudiced by its inclusion.

3 55. Plaintiff moves to strike in its entirety **Exhibit U** in Defendant's Answer as it  
4 is irrelevant, false, and improper and has not been drawn or filed in conformity with the law  
5 in that it is hearsay evidence, not attached thereto or made a part thereof in Defendant's  
6 Answer, and not referenced by page, paragraph, or specific section in Defendant's Answer.  
7 Plaintiff further moves to strike this exhibit, as it is not referenced or made a part of any  
8 paragraph, 0 through 60, inclusive, in Defendant's Answer and that Plaintiff would be  
9 prejudiced by its inclusion.

10 WHEREFORE, Plaintiff prays that this motion to strike be granted, and that Plaintiff  
11 takes judgment as prayed for in her complaint on file herein.

12 Dated: September 7, 2006

BY:

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