

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

EMMA JEAN BUTLER,
Individually and as mother
and next friend of [REDACTED],
[REDACTED], a minor,

Plaintiff,

v.

PLANNED PARENTHOOD OF
METROPOLITAN WASHINGTON,
D.C., INC.,

Defendant.

* Case: 1:08-cv-00231
* Assigned to:
* Hon. Reggie B. Walton

* * * * *

ANSWER

In response to the Complaint filed by Emma Jean Butler (“Plaintiff” or “Butler”), Defendant Planned Parenthood of Metropolitan Washington, D.C., Inc. (“Defendant” or “Planned Parenthood”), admits, denies, and states as follows:

1. Presently lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies.
2. Admits that [REDACTED] sought and obtained medical care at its facility in Washington, D.C. Denies all remaining allegations.
3. Admits that Defendant provides certain health care services at its location at 1108 16th Street, N.W., Washington, DC 20036. Denies all remaining allegations.
4. Admits.

5. Admits that [REDACTED], a minor, sought and obtained medical care on or about September 7, 2006. Denies all remaining allegations.

6. Paragraph 6 pleads a legal conclusion to which no response is required.

7. Paragraph 7 pleads a legal conclusion to which no response is required.

8. Presently lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies.

9. Admits that [REDACTED] was pregnant when she was seen at Planned Parenthood. Presently lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph, and therefore denies.

10. Presently lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies.

11. Admits.

12. Admits.

13. Admits.

14. Presently lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies.

15. Admits on information and belief that Plaintiff presented to the emergency room at Civista Medical Center on or about September 8, 2006. Presently lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph, and therefore denies.

16. Presently lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies.

17. Denies.

18. Presently lacks knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies.

19. Denies.

20. Defendant incorporates herein by reference all of its responses set forth in paragraphs 1 through 19, inclusive, above as if separately restated here.

21. Admits

22. Admits.

23. Admits that Defendant owed a duty to [REDACTED] to conform to the standards of care, and denies that it had a direct duty to her mother. Denies all remaining allegations.

24. Denies.

25. Denies.

26. Denies.

27. Denies.

28. Denies.

29. Denies.

30. Denies.

ADDITIONAL DEFENSES

1. Plaintiff's Complaint fails to state a claim upon which relief can be granted.

2. Plaintiff's claims are barred by the doctrine of informed consent.

3. Plaintiff's claims are barred by the doctrine of assumption of risk.

4. Plaintiff's claims are barred by the doctrine of contributory negligence.

WHEREFORE, having fully answered Plaintiff's Complaint, Planned Parenthood prays as follows:

(a) That Plaintiff's Complaint, and each cause of action against Planned Parenthood contained therein, be dismissed with prejudice;

(b) That judgment be entered in favor of Planned Parenthood, and against Plaintiff, on each cause of action against Planned Parenthood contained in Plaintiff's Complaint;

(c) That Plaintiff take nothing by reason of its Complaint or any claims stated therein;

(d) That the Court award Planned Parenthood its costs and expenses, including its attorneys' fees, incurred in responding to Plaintiff's complaint;

(e) That the Court grant Planned Parenthood such other and further relief as the Court may deem just and proper.

Dated: April 3, 2008

/s/

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*Attorney for Defendant Planned
Parenthood of Metropolitan Washington,
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Of counsel:

/s/

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true copy of the foregoing Answer to be served by the ECF system this 3rd day of April, 2008, upon the following:

John P. Valente III, Esquire
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Attorney for Defendant

_____/s/
Mara B. Zusman