

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CoStar Realty Information, Inc., *et al.*
Plaintiffs

*

*

vs.

*

Civil Case No. 8:08-cv-00663-AW

Mark Field d/b/a Alliance Valuation Group,
et al.
Defendants

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ANSWER OF PATHFINDER MORTGAGE CO.

Pathfinder Mortgage Co., a defendant, by its counsel, answers the Amended Complaint filed against it by the plaintiffs and says:

1. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 1.
2. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 2.
3. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 3.
4. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 4.
5. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 5.
6. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 6.
7. Defendant admits the allegations contained in paragraph 7.

8. Defendant is without knowledge or information sufficient to form a belief as to the averments contained in the first and third sentences of paragraph 8. Defendant is without knowledge or information sufficient to form a belief as to the averments contained in the second and fourth sentences of paragraph 8 as they pertain to the other defendants. The remaining allegations of paragraph 8 are denied.

9. The allegations contained in paragraph 9 are legal in nature and a response is not required thereto; however, to the extent that a response may be required, the averments in paragraph 9 are denied.

10. The allegations contained in paragraph 10 are legal in nature and a response is not required thereto; however, to the extent that a response may be required, the averments in paragraph 10 are denied.

11. The allegations contained in paragraph 11 are legal in nature and a response is not required thereto; however, to the extent that a response may be required, the averments in paragraph 11 are denied.

12. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 12.

13. The allegations contained in paragraph 13 are legal in nature and a response is not required thereto; however, to the extent that a response may be required, the averments in paragraph 13 are denied.

14. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 14.

15. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 15.

16. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 16.

17. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 17.

18. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 18.

19. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 19.

20. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 20.

21. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 21.

22. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 22.

23. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 23.

24. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 24.

25. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 25.

26. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 26.

27. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 27. The remaining allegations of paragraph 27 are denied.

28. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 28.

29. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 29. The remaining allegations of paragraph 29 are denied.

30. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 30. The remaining allegations of paragraph 30 are denied.

31. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 31.

32. Defendant incorporates the allegations of paragraphs 1 - 31 as if fully set forth herein.

33. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 33.

34. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 34. The remaining allegations of paragraph 34 are denied.

35. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 35. The remaining allegations of paragraph 35 are denied.

36. Defendant incorporates the allegations of paragraphs 1 - 35 as if fully set forth herein.

37. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 37. The remaining allegations of paragraph 37 are denied.

38. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 38. The remaining allegations of paragraph 38 are denied.

39. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 39. The remaining allegations of paragraph 39 are denied.

40. Defendant incorporates the allegations of paragraphs 1 - 39 as if fully set forth herein.

41. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 41.

42. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 42.

43. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 43. The remaining allegations of paragraph 43 are denied.

44. Defendant incorporates the allegations of paragraphs 1 - 43 as if fully set forth herein.

45. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 45.

46. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 46. The remaining allegations of paragraph 46 are denied.

47. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 47. The remaining allegations of paragraph 47 are denied.

48. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 48.

49. Defendant incorporates the allegations of paragraphs 1 - 48 as if fully set forth herein.

50. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 50.

51. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 51.

52. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 52. The remaining allegations of paragraph 52 are denied.

53. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 53. The remaining allegations of paragraph 53 are denied.

54. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 54. The remaining allegations of paragraph 54 are denied.

55. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 55. The remaining allegations of paragraph 55 are denied.

56. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 56. The remaining allegations of paragraph 56 are denied.

57. Defendant incorporates the allegations of paragraphs 1 - 56 as if fully set forth herein.

58. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 58. The remaining allegations of paragraph 58 are denied.

59. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 59. The remaining allegations of paragraph 59 are denied.

60. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 60. The remaining allegations of paragraph 60 are denied.

61. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 61. The remaining allegations of paragraph 61 are denied.

62. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 62. The remaining allegations of paragraph 62 are denied.

63. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 63. The remaining allegations of paragraph 63 are denied.

64. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 64.

65. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 65. The remaining allegations of paragraph 65 are denied.

66. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 66.

67. Defendant incorporates the allegations of paragraphs 1 - 66 as if fully set forth herein.

68. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 68.

69. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 69. The remaining allegations of paragraph 69 are denied.

70. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 70. The remaining allegations of paragraph 70 are denied.

71. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 71. The remaining allegations of paragraph 71 are denied.

72. Defendant incorporates the allegations of paragraphs 1 - 71 as if fully set forth herein.

73. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 73. The remaining allegations of paragraph 73 are denied.

74. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 74. The remaining allegations of paragraph 74 are denied.

75. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 75. The remaining allegations of paragraph 75 are denied.

76. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 76. The remaining allegations of paragraph 76 are denied.

77. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 77. The remaining allegations of paragraph 77 are denied.

78. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Alliance, Gressett, Gateel, Lawson or Does contained in paragraph 78. The remaining allegations of paragraph 78 are denied.

79. Defendant denies the allegations in the Prayer for Relief.

1st AFFIRMATIVE DEFENSE

The Complaint fails to state a claim upon which relief can be granted.

2d AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred by laches.

3d AFFIRMATIVE DEFENSE

If plaintiffs suffered the damages alleged, which fact this defendant expressly denies, then all such damage was caused by persons or parties other than this defendant, including plaintiff.

4th AFFIRMATIVE DEFENSE

If plaintiffs suffered the damages alleged, which fact this defendant expressly denies, then such resulted from other and further reason for which this defendant would not be responsible.

5th AFFIRMATIVE DEFENSE

Plaintiff's claim is barred by the doctrines of waiver and estoppel.

6th AFFIRMATIVE DEFENSE

Plaintiff's claim is barred by the doctrine of unclean hands or *in pari delicto*.

7th AFFIRMATIVE DEFENSE

If defendants committed any wrongdoing, which fact this defendant expressly denies, then plaintiff's claims are barred by an election of remedies.

8th AFFIRMATIVE DEFENSE

Defendant has performed each and every duty, if any, owing by law to the plaintiff.

9th AFFIRMATIVE DEFENSE

The plaintiffs have not been damaged in the manner or to the extent alleged in the Complaint.

10th AFFIRMATIVE DEFENSE

Defendant has not infringed valid copyright registrations which are the subject of the Amended Complaint.

11th AFFIRMATIVE DEFENSE

If plaintiffs suffered the damages alleged, which fact this defendant expressly denies, then such damages were caused, in whole or in part, by plaintiff's failure to mitigate damages.

12th AFFIRMATIVE DEFENSE

Defendant's corporate name is Pathfinder Mortgage Corp., not Pathfinder Mortgage Co.

WHEREFORE, having fully answered the Complaint, defendant prays that the Complaint be dismissed with costs awarded to this defendant and for such other, further, and different relief as the justice of the cause may require.

DEMAND FOR JURY TRIAL

Defendant demands a trial by jury on each claim asserted on each defense as triable.

/s/

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Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on **April 29, 2008**, a copy of the foregoing **Answer of Pathfinder Mortgage Co.** was served through the Court's electronic notification service to:

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I further certify that service required by Fed. R. Civ. P. 5 was made, and that a true copy of the foregoing document was sent to the following via pre-paid U.S. mail on April 21, 2008:

Gerald A. Teel Company, Inc.
974 Campbell Road, Suite 204
Houston, TX 77024-2813

_____/s/
R. Wayne Pierce