

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAMIE LEIGH JONES,
Plaintiff,

v.

HALLIBURTON COMPANY d/b/a
KBR KELLOGG BROWN & ROOT
(KBR); KELLOGG BROWN & ROOT
SERVICES, INC.; KELLOGG BROWN
& ROOT INTERNATIONAL, INC.;
KELLOGG BROWN & ROOT, LLC;
KELLOGG BROWN & ROOT, INC.;
KELLOGG BROWN & ROOT, S. de
R.L.; KELLOGG BROWN & ROOT
(KBR), INC.; KBR TECHNICAL
SERVICES, INC.; OVERSEAS
ADMINISTRATIVE SERVICES, LTD.;
ERIC ILER, CHARLES BOARTZ;
SEVERAL JOHN DOE RAPISTS and
THE UNITED STATES OF AMERICA,
Defendants.

CIVIL ACTION NO. H-07-2719

DEFENDANT CHARLES BORTZ'S
ORIGINAL ANSWER

Defendant, Charles Bortz, files this original answer to Plaintiff's Fourth Amended Original Complaint.

A. Rule 12 F.R.C.P. Defenses

1. Charles Bortz is not subject to the jurisdiction of this Court. He neither resides nor has he ever resided, done business in or systematically maintained contacts in the State of Texas.
2. Plaintiff's complaint fails to state a claim for which relief may be granted.

B. Admissions & Denials

Charles Bortz (Defendant) will respond to the allegations in Plaintiff's Fourth Amended Complaint in correspondingly numbered paragraphs:

1. Defendant lacks sufficient knowledge or information to form a belief about the truth of paragraph 1 concerning Ms. Jones' deployment to Iraq, the relationship among the corporate defendants, the entities who controlled Camp Hope and any right to sovereign immunity of those entities; Defendant denies the allegation in paragraph 1 that he is a rapist; and Defendant admits the allegation in paragraph 1 that he has worked for Halliburton. Defendant denies all other allegations imputable against him.

2. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

3. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

4. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

5. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

6. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

7. Defendant admits that he was a resident of Florida. He now resides in South Carolina.

8. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof other than to deny any rape insofar as he knows.

9. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

10. Defendant denies jurisdiction over his person by reason of the matters set forth in his Rule 12 Defenses. Defendant admits diversity jurisdiction generally except that he lacks sufficient knowledge or information to form a belief about the truth of whether a significant portion of the events giving rise to the lawsuit occurred in the Southern District of Texas; and Defendant denies the remainder of paragraph 10.

11. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

12. Defendant denies paragraph 12.

13. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

14. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

15. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

16. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

17. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

18. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

19. Defendant denies the allegations in paragraph 19.

20. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

21. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

22. Defendant denies the allegations in paragraph 22.

23. Defendant denies paragraph 23.

24. To the extent imputable to Defendant, he denies the allegations in paragraph 24.

25. To the extent imputable to Defendant, he denies the allegations in paragraph 25.

26. Defendant denies the allegations in paragraph 26.

27. To the extent imputable to Defendant, he denies the allegations in paragraph 27.

28. Defendant lacks sufficient knowledge or information to form a belief about the truth of paragraph 28.

29. Defendant denies paragraph 29.

30. Defendant lacks sufficient knowledge or information to form a belief about the truth of paragraph 30.

31. To the extent imputable to Defendant, he denies the allegations in paragraph 31.

32. To the extent imputable to Defendant, he denies the allegations in paragraph 32.

33. To the extent imputable to Defendant, he denies the allegations in paragraph 33.

34. To the extent imputable to Defendant, he denies the allegations in paragraph 34.

35. Defendant denies having assaulted Plaintiff, having criminal or violent propensities, having been an unfit or unsafe employee, and having raped or any way harmed Plaintiff. Defendant further denies any other allegations imputable to him. Defendant lacks sufficient knowledge or information to form a belief about the truth of the remainder of paragraph 35.

36. Defendant denies the allegations in paragraph 36.

37. To the extent imputable to Defendant, he denies the allegations in paragraph 37.

38. To the extent imputable to Defendant, he denies the allegations in paragraph 38.

39. Defendant denies the allegations in paragraph 39.

40. Defendant denies the allegations in paragraph 40.

41. To the extent imputable to Defendant, he denies the allegations in paragraph 41.

42. To the extent imputable to Defendant, he denies the allegations in paragraph 42.

43. To the extent imputable to Defendant, he denies the allegations in paragraph 43.

44. Defendant denies having assaulted Plaintiff; and to the extent imputable to Defendant, he denies the remaining allegations in paragraph 44.

45. Defendant denies the allegations in paragraph 45.

46. To the extent imputable to Defendant, he denies the allegations in paragraph 46.

47. Defendant lacks sufficient knowledge or information to form a belief about the truth of paragraph 47.

48. To the extent imputable to Defendant, he denies the allegations in 48.

49. Defendant denies the allegations in paragraph 49.

50. Defendant denies the allegations in paragraph 50.

51. To the extent imputable to Defendant, he denies the allegations in paragraph 51.

52. Defendant denies the allegations in paragraph 52.

53. To the extent imputable to Defendant, he denies the allegations in 53.

54. Defendant denies the allegations in paragraph 54.

55. To the extent imputable to Defendant, he denies the allegations in paragraph 55.

56. Defendant admits that Plaintiff has pled several theories of liability and recovery and has not elected remedies in paragraph 56.

57. To the extent imputable to Defendant, he denies the allegations in paragraph 57.

58. Defendant denies the allegations in paragraph 58.

59. To the extent imputable to Defendant, he denies the allegations in paragraph 59.

60. To the extent imputable to Defendant, he denies the allegations in paragraph 60.

61. Defendant denies the allegations in paragraph 61.

62. To the extent imputable to Defendant, he denies the allegations in paragraph 62.

63. To the extent imputable to Defendant, he denies the allegations in paragraph 63.

64. Defendant denies the allegations in paragraph 64.

65. To the extent imputable to Defendant, he denies the allegations in paragraph 65.

66. To the extent imputable to Defendant, he denies the allegations in paragraph 66.

67. Defendant denies the allegations in paragraph 67.

68. To the extent imputable to Defendant, he denies the allegations in paragraph 68.

69. Defendant denies paragraph 69.

70. Defendant denies paragraph 70.

71. Defendant denies paragraph 71.

72. Defendant denies paragraph 72.

73. To the extent imputable to Defendant, he denies the allegations in paragraph 73.

74. To the extent imputable to Defendant, he denies the allegations in paragraph 74.

75. Defendant denies the allegations in paragraph 75.

76. To the extent imputable to Defendant, he denies the allegations in paragraph 76.

77. Defendant neither admits nor denies these allegations for lack of sufficient knowledge or information to form a belief about the truth thereof.

78. Defendant denies the allegations in paragraph 78.
79. To the extent imputable to Defendant, he denies the allegations in paragraph 79.
80. Defendant denies the allegations in paragraph 80.
81. Defendant denies the allegations in paragraph 81.
82. To the extent imputable to Defendant, he denies the allegations in paragraph 82.
83. Defendant denies the allegations in paragraph 83.
84. To the extent imputable to Defendant, he denies the allegations in paragraph 84.
85. Defendant denies the allegations in paragraph 85.
86. Defendant denies the allegations in paragraph 86.
87. Defendant denies paragraph 87.
88. Defendant denies paragraph 88.
89. Defendant denies paragraph 89.
90. Defendant denies paragraph 90.
91. Defendant admits that Plaintiff has demanded trial by jury in paragraph 91.

C. Affirmative Defenses

92. Defendant is not liable to plaintiff because the sexual activities between Plaintiff and Defendant were consensual and were in no respect any type of assault or rape.

93. Plaintiff suffered from various pre-existing and subsequently occurring conditions, which constitute some or all of the damages being sought in this case.

94. Defendant is not liable to plaintiff because the applicable statutes of limitations bar her claims.

D. Prayer

For these reasons, Charles Bortz asks the Court to enter judgment that Jamie Leigh Jones take nothing, that her suit be dismissed with prejudice, that he recover his costs herein expended, and that he have all other relief the Court deems appropriate.

Respectfully submitted,

MCKINNEY & COOPER, L.L.P.

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ATTORNEY IN CHARGE FOR
DEFENDANT CHARLES BORTZ

CERTIFICATE OF SERVICE

On September 9, 2010, I certify that a copy of *Defendant Charles Bortz's Original Answer* was served and electronically filed on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on the following attorneys:

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