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6 Attorneys for Defendants  
Point Loma Patients Consumer Cooperative Corp.  
7 Golden State Greens, LLC, Far West Management, LLC  
Far West Operating, LLC, and Far West Staffing, LLC

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**DART LAW**

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12 Attorneys for Defendants Adam Knopf,  
Justus Henkes IV, and 419 Consulting, Inc.

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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **COUNTY OF SAN DIEGO**

16 KARL BECK, individually and on behalf  
of all other similarly situated California  
17 residents,

18 Plaintiff,

19 vs.

20 POINT LOMA PATIENTS CONSUMER  
COOPERATIVE CORPORATION, a  
21 California corporation, ADAM KNOPF, an  
individual, JUSTUS H. HENKES IV, an  
22 individual, 419 CONSULTING INC, a  
California corporation, GOLDEN STATE  
23 GREENS LLC, a California LLC, FAR  
WEST MANAGEMENT LLC, a  
24 California LLC, FAR WEST  
OPERATING, LLC, a California LLC,  
25 FAR WEST STAFFING LLC, a California  
LLC, and DOES 1-50;

26 Defendants.  
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**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego

**05/23/2018** at 03:06:00 PM

Clerk of the Superior Court  
By Richard Day, Deputy Clerk

**CASE NO. 37-2017-00037524-CU-BT-CTL**

**CLASS ACTION**

**DEFENDANTS' JOINT AMENDED**  
**ANSWER TO PLAINTIFF'S COMPLAINT**

Judge: Hon. Joel Wohlfeil  
Dept.: C-73

Complaint Filed: October 6, 2017

Trial Date: March 1, 2019

1 Defendants Point Loma Patients Consumer Cooperative Corporation (“PLPCC”), Adam  
2 Knopf, Justus H. Henkes, IV, 419 Consulting, Inc., Golden State Greens, LLC, Far West  
3 Management, LLC, Far West Operating, LLC, and Far West Staffing, LLC (collectively  
4 “Defendants”) respond to the unverified Complaint filed by plaintiff Karl Beck, individually and  
5 on behalf of all other similarly situated California residents, (“Plaintiff” or “Beck”) as follows:

6 **I. GENERAL DENIAL**

7 Pursuant to the provisions of Code of Civil Procedure section 431.30(d), Defendants deny  
8 generally and specifically each and every material allegation contained in the Complaint. In  
9 addition, Defendants deny that Plaintiff has sustained, or will sustain, any loss or damage in the  
10 manner or amount alleged, or otherwise, by reason of any act or omission, or any other conduct or  
11 absence thereof on the part of Defendants.

12 **II. AFFIRMATIVE DEFENSES**

13 **FIRST SEPARATE AND AFFIRMATIVE DEFENSE**

14 As a separate and distinct affirmative defense, Defendants allege that each cause of action  
15 in the Complaint is barred, in whole or in part, by the applicable statutes of limitations, including  
16 without limitation, California Civil Procedure Code section(s) 338(a), 340(a), and/or 343,  
17 California Civil Code section 1783, and California Business and Professions Code section 17208.

18 **SECOND SEPARATE AND AFFIRMATIVE DEFENSE**

19 As a separate and distinct affirmative defense, Defendants allege that the Complaint, and  
20 each and every alleged cause of action therein are barred, in whole or in part, by the equitable  
21 doctrine of laches.

22 **THIRD SEPARATE AND AFFIRMATIVE DEFENSE**

23 As a separate and distinct affirmative defense, Defendants allege that the Complaint, and  
24 each and every alleged cause of action therein are barred by the doctrine of waiver.

25 **FOURTH SEPARATE AND AFFIRMATIVE DEFENSE**

26 As a separate and distinct affirmative defense, Defendants allege that the Complaint, and  
27 each and every alleged cause of action therein are barred, in whole or in part, because Plaintiff  
28 consented to the conduct about which he now complains.

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**FIFTH SEPARATE AND AFFIRMATIVE DEFENSE**

As a separate and distinct affirmative defense, Defendants allege that the adjudication of the claims of the putative class through generalized class wide proof violates Defendants’ right to trial by jury guaranteed by the United States and California Constitutions.

**SIXTH SEPARATE AND AFFIRMATIVE DEFENSE**

As a separate and distinct affirmative defense, Plaintiff is estopped from asserting his claims because by his conduct, including but not limited to agreeing in writing, he agreed that he was an Associate Member of PLPCC and is therefore precluded from recovering any relief under his Complaint, or any purported cause of action alleged therein, on the basis that he is a Member of PLPCC.

**SEVENTH SEPARATE AND AFFIRMATIVE DEFENSE**

Any recovery on Plaintiff’s Complaint, or any purported cause of action alleged therein, is barred in whole or in part by Plaintiff’s failure to mitigate his damages. Consequently, any damages suffered by Plaintiff must be reduced in an amount by which Plaintiff and/or his agents could have mitigated those damages, if any.

**EIGHTH SEPARATE AND AFFIRMATIVE DEFENSE**

Defendants allege that any recovery on Plaintiff’s Complaint, or any cause of action contained therein, may be barred by the Business Judgment Rule applicable to claims of unlawful business practices under Business & Professions Code section 17200.

**NINTH SEPARATE AND AFFIRMATIVE DEFENSE**

Defendants allege that any recovery on Plaintiff’s Complaint, or any cause of action contained therein, may be barred by the business justification defense to any alleged unfair business practices under Business & Professions Code section 17200.

**TENTH SEPARATE AND AFFIRMATIVE DEFENSE**

As a separate and distinct affirmative defense, Plaintiff is estopped from making a demand for business records because Plaintiff is not a member of PLPCC.

**ELEVENTH SEPARATE AND AFFIRMATIVE DEFENSE**

Defendants reserve the right to amend this answer to assert additional defenses and/or

1 supplement, alter or change this answer as may be warranted by the revelation of information  
2 during discovery and investigation.

3 WHEREFORE, Defendants pray for judgment as follows:

4 1. That Plaintiff takes nothing by reason of his Complaint, that the same be dismissed  
5 in its entirety with prejudice, and that judgment be entered for Defendants.

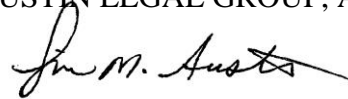
6 2. That Defendants be awarded their costs and attorneys' fees as allowed by statute;  
7 and

8 3. That Defendants be awarded such other and further relief as the Court deems just  
9 and proper.

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12 Dated: May 23, 2018

Respectfully Submitted,

AUSTIN LEGAL GROUP, APC



By: Gina M. Austin/Tamara M. Leetham  
Attorneys For Defendants Point Loma  
Patients Consumer Cooperative, Golden  
State Greens, LLC, Far West Management,  
LLC, Far West Operating, LLC, and Far  
West Staffing, LLC

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