

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FT. WORTH DIVISION

=====	:	
POINT BRIDGE CAPITAL, LLC,	:	
HAL LAMBERT,	:	
Plaintiffs,	:	Case No. 4:24-cv-00988-P
	:	
	:	
— <i>versus</i> —	:	Hon. Mark Pittman
	:	U.S. District Judge
	:	
CHARLES JOHNSON,	:	
Defendant.	:	
=====	:	

Defendant, CHARLES JOHNSON, by and through his attorney of record, Bernard V.

Kleinman, Esq., does Answer the Complaint, as follows:

1. Denies the allegations contained in ¶¶ 1, 2, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 30, 31, 32, 35, 36, 37, 38, 39, 40, 41, 43, 44, 48, 64, 73, 74, 75, 79, 81, 82, 85, 88, 91, 104, 114, 118, 125, 130, 146, 150, 151, 152, 153, 154, 155, 156, 158, 162, 164, 165, 166, 171, 172, 173, 174, 176, 177, 178, 180, 181, 182, 184, 185, 186, 187, 193, 196, 200, 201, 204, 207, 208, 209, 211, 215, 217, 218, 223, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 242, 243, 244, 245, 246, 247, 248, 249, 254, 255, 256, 257, 262, 263, 264, 265, 266, 267, 268, 269, 271.

2. Lacks sufficient knowledge to neither admit nor deny the allegations, and/or calls for a legal conclusion for which Defendant lacks the knowledge to answer in ¶¶ 3, 10, 11, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 33, 34, 42, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 76, 77, 78, 80, 83, 84, 86, 87, 89, 90, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 107, 108, 109, 110, 111, 112, 113, 115, 116, 117, 119, 120, 121, 122, 123, 124, 126, 127, 131, 132, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 147, 148, 149, 157, 159, 160, 161, 163, 167, 168, 169, 170, 175, 179, 183, 188, 189, 190, 191, 192, 194, 195,

197, 198, 199, 202, 203, 205, 206, 210, 212, 213, 214, 216, 219, 220, 221, 222, 224, 237, 238, 239, 240, 241, 250, 251, 252, 253, 258, 259, 260, 261, 270.

3. Admits the allegations in ¶¶ 105, 106, 128, 129, 133,

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

3. The Complaint fails to state a cause, or causes of action upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

4. The claims are barred to the extent that they were not filed within the applicable statutes of limitation and/or administrative filing periods.

THIRD AFFIRMATIVE DEFENSE

5. The claims are barred, in whole or in part, by the principles of waiver and/or estoppel.

FOURTH AFFIRMATIVE DEFENSE

6. The claims are barred to the extent that the Plaintiff failed to timely and properly exhaust all necessary administrative, statutory and/or jurisdictional prerequisites for the commencement of this action.

FIFTH AFFIRMATIVE DEFENSE

7. The claims are barred based upon lack of *in personam* jurisdiction over the named Defendant.

SIXTH AFFIRMATIVE DEFENSE

8. Plaintiff's claims for various relief are barred to the extent that they have failed to mitigate damages.

SEVENTH AFFIRMATIVE DEFENSE

9. Plaintiff would be unjustly enriched if permitted to recover on his claim.

EIGHTH AFFIRMATIVE DEFENSE

10. Plaintiffs are precluded from recovering based upon the doctrine of unclean hands.

NINTH AFFIRMATIVE DEFENSE

11. Plaintiffs are precluded from recovering based upon the statute of frauds.

TENTH AFFIRMATIVE DEFENSE

12. Plaintiffs are precluded from recovering based upon the doctrine of laches, in that the said Plaintiff engaged in an unreasonable amount of time before making its claim against the Defendants herein.

ELEVENTH AFFIRMATIVE DEFENSE

13. To the extent that Defendant has discovered or will discover relevant evidence of Plaintiffs' wrongdoing, said Plaintiffs are barred from recovering damages or any other remedy by reason of such after-acquired evidence.

TWELFTH AFFIRMATIVE DEFENSE

14. All injuries, losses or damages as alleged by the Plaintiff were caused by and the result of intervening events over which the Defendant had neither knowledge of, nor control over.

THIRTEENTH AFFIRMATIVE DEFENSE

15. Upon information and belief at no time did the Defendant have or owe any duty of care to the named Plaintiff.

FOURTEENTH AFFIRMATIVE DEFENSE

16. Plaintiff has failed to name all parties relevant to this action.

FIFTEENTH AFFIRMATIVE DEFENSE

17. Plaintiff and Plaintiff's counsel have failed to adequately investigate and come to the legal and factual conclusion that the Defendant is in full compliance with all applicable federal, state

and local statutes, rules and regulations regarding access for relevant persons, in violation of Rule 11, of the Federal Rules of Civil Procedure.

RESERVATION OF RIGHTS

18. Defendant CHARLE SJOHGNOSN states that it currently has insufficient knowledge or information on which to form a belief as to whether it may have additional, as yet unstated, defenses available. As such, each Defendant expressly reserves the right to assert additional defenses, and to seek to amend this Answer with any such Affirmative Defenses to include any such additional defenses, in the event that discovery indicates that any such additional defenses would be appropriate.

WHEREFORE, Defendant CHARLES JOHNSON demands judgment against the Plaintiffs, and, if determined applicable, sanctions pursuant to Rule 11(c) of the Federal Rules of Civil Procedure, and such other and further relief as the Court shall deem just and proper.

Dated: November 22, 2024  
Somers, NY

/s/ Bernard V. Kleinman

Bernard V. Kleinman, Esq.  
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	:	
CHARLES JOHNSON,	:	
Defendant.	:	
=====	:	

CERTIFICATE OF SERVICE

Bernard V. Kleinman, does solemnly affirm, under the laws against perjury of the United States, that he did serve a copy of the within Answer upon all parties, by electronically filing same, thereby ensuring that such parties’ counsel received same as registered e-filers registered to receive e-notices in this case.

/s/ Bernard V. Kleinman  
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Dated: Nov. 2, 2024  
Somers, NY