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and Tract Society of New York, Inc.*

Corinne Pandelo,

Plaintiff,

v.

The Governing Body of Jehovah’s
Witnesses, Fairlawn Congregation of
Jehovah’s Witnesses, Watchtower Bible
and Tract Society of New York, Inc.,
Hackensack Congregation of Jehovah’s
Witnesses, and John and Jane Does 1-100,
whose identities are presently unknown to
Plaintiff, in their official and individual
capacities,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
DOCKET NO.: BER-L-5508-21

Civil Action

**DEFENDANT WATCHTOWER BIBLE
AND TRACT SOCIETY OF NEW YORK,
INC.’S ANSWER TO PLAINTIFF’S
FIRST AMENDED COMPLAINT WITH
AFFIRMATIVE DEFENSES**

Defendant Watchtower Bible and Tract Society of New York, Inc. (“Defendant”), by way of Answer to Plaintiff Corinne Pandelo’s (“Plaintiff”) First Amended Complaint, says as follows:

INTRODUCTION AND MATTER BEFORE THE COURT

1. Defendant denies that Clement Pandelo was or is an agent of Defendant. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1 at this time, and therefore denies the same.

2. Defendant denies the allegations in Paragraph 2.

PARTIES

3. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 at this time, and therefore denies the same.

4. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 at this time, and therefore denies the same.

5. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5 at this time, and therefore denies the same.

6. Defendant denies the allegations in Paragraph 6.

7. Defendant denies the allegations in Paragraph 7.

8. Defendant denies the allegations in Paragraph 8.

9. Defendant denies the allegations in Paragraph 9.

10. Defendant denies the allegations in Paragraph 10.

11. Defendant denies the allegations in Paragraph 11.

12. Defendant denies the allegations in Paragraph 12.

13. Defendant denies the allegations in Paragraph 13.

14. Defendant denies the allegations in Paragraph 14.

15. Defendant denies the allegations in Paragraph 15.

16. Defendant denies the allegations in Paragraph 16.

17. Defendant denies the allegations in Paragraph 17.

18. Defendant denies the allegations in Paragraph 18.

19. Defendant denies the allegations in Paragraph 19.

20. Defendant denies the allegations in Paragraph 20.

21. Defendant denies the allegations in Paragraph 21.

22. Defendant denies the allegations in Paragraph 22.
23. Defendant denies the allegations in Paragraph 23.
24. Defendant denies the allegations in Paragraph 24.
25. Defendant denies the allegations in Paragraph 25.
26. Defendant denies the allegations in Paragraph 26.
27. Defendant denies the allegations in Paragraph 27.
28. Defendant denies the allegations in Paragraph 28.
29. Defendant denies the allegations in Paragraph 29.
30. Defendant denies the allegations in Paragraph 30.
31. Defendant denies the allegations in Paragraph 31.
32. Defendant denies the allegations in Paragraph 32.
33. Defendant denies the allegations in Paragraph 33.
34. Defendant denies the allegations in Paragraph 34.

FACTUAL BACKGROUND

35. Defendant denies the allegations in Paragraph 35.
36. Defendant denies the allegations in Paragraph 36.
37. Defendant denies the allegations in Paragraph 37.
38. Defendant denies the allegations in Paragraph 38.
39. Defendant denies the allegations in Paragraph 39.
40. Defendant denies the allegations in Paragraph 40.
41. Defendant denies the allegations in Paragraph 41.
42. Defendant denies the allegations in Paragraph 42.
43. Defendant denies the allegations in Paragraph 43.

44. Defendant denies the allegations in Paragraph 44.

45. Defendant denies the allegations in Paragraph 45.

46. Defendant denies the allegations in Paragraph 46.

47. Defendant denies the allegations in Paragraph 47.

48. Defendant denies the allegations in Paragraph 48.

49. Defendant denies the allegations in Paragraph 49.

50. Defendant denies the allegations in Paragraph 50.

51. Defendant denies the allegations in Paragraph 51.

52. Defendant denies the allegations in Paragraph 52.

53. Defendant denies the allegations in Paragraph 53.

54. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 54 at this time, and therefore denies the same.

55. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 55 at this time, and therefore denies the same.

56. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 56 at this time, and therefore denies the same.

57. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 57 at this time, and therefore denies the same.

JURISDICTION AND VENUE

58. Defendant denies the allegations in Paragraph 58.

59. Defendant denies the allegations in Paragraph 59.

60. Defendant denies the allegations in Paragraph 60.

CAUSES OF ACTION AGAINST DEFENDANTS

COUNT I
(NEGLIGENCE AND/OR GROSS NEGLIGENCE)

61. Defendant repeats and re-alleges all aforementioned responses as if fully incorporated herein.

62. Defendant denies the allegations in Paragraph 62.

63. Defendant denies the allegations in Paragraph 63.

64. Defendant denies the allegations in Paragraph 64.

65. Defendant denies the allegations in Paragraph 65.

66. Defendant denies the allegations in Paragraph 66.

67. Defendant denies the allegations in Paragraph 67.

68. Defendant denies the allegations in Paragraph 68.

69. Defendant denies the allegations in Paragraph 69.

70. Defendant denies the allegations in Paragraph 70.

71. Defendant denies the allegations in Paragraph 71.

72. Defendant denies the allegations in Paragraph 72.

73. Defendant denies the allegations in Paragraph 73.

WHEREFORE Defendant demands judgement in its favor and against Plaintiff denying Plaintiff's claim with prejudice and awarding Defendant such other and further relief as the Court deems just and appropriate.

COUNT II
(NEGLIGENT AND/OR GROSSLY NEGLIGENT SUPERVISION)

74. Defendant repeats and re-alleges all aforementioned responses as if fully incorporated herein.

75. Defendant denies the allegations in Paragraph 75.
76. Defendant denies the allegations in Paragraph 76.
77. Defendant denies the allegations in Paragraph 77.
78. Defendant denies the allegations in Paragraph 78.
79. Defendant denies the allegations in Paragraph 79.
80. Defendant denies the allegations in Paragraph 80.
81. Defendant denies the allegations in Paragraph 81.
82. Defendant denies the allegations in Paragraph 82.
83. Defendant denies the allegations in Paragraph 83.
84. Defendant 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 the allegations in Paragraph 87.
88. Defendant denies the allegations in Paragraph 88.
89. Defendant denies the allegations in Paragraph 89.
90. Defendant denies the allegations in Paragraph 90.
91. Defendant denies the allegations in Paragraph 91.
92. Defendant denies the allegations in Paragraph 92.
93. Defendant denies the allegations in Paragraph 93.
94. Defendant denies the allegations in Paragraph 94.
95. Defendant denies the allegations in Paragraph 95.
96. Defendant denies the allegations in Paragraph 96.
97. Defendant denies the allegations in Paragraph 97.

98. Defendant denies the allegations in Paragraph 98.
99. Defendant denies the allegations in Paragraph 99.
100. Defendant denies the allegations in Paragraph 100.
101. Defendant denies the allegations in Paragraph 101.
102. Defendant denies the allegations in Paragraph 102.
103. Defendant denies the allegations in Paragraph 103.
104. Defendant denies the allegations in Paragraph 104.
105. Defendant denies the allegations in Paragraph 105.
106. Defendant denies the allegations in Paragraph 106.
107. Defendant denies the allegations in Paragraph 107.
108. Defendant denies the allegations in Paragraph 108.
109. Defendant denies the allegations in Paragraph 109.
110. Defendant denies the allegations in Paragraph 110.
111. Defendant denies the allegations in Paragraph 111.
112. Defendant denies the allegations in Paragraph 112.
113. Defendant denies the allegations in Paragraph 113.
114. Defendant denies the allegations in Paragraph 114.
115. Defendant denies the allegations in Paragraph 115.
116. Defendant denies the allegations in Paragraph 116.
117. Defendant denies the allegations in Paragraph 117.
118. Defendant denies the allegations in Paragraph 118.
119. Defendant denies the allegations in Paragraph 119.
120. Defendant denies the allegations in Paragraph 120.

121. Defendant denies the allegations in Paragraph 121.
122. Defendant denies the allegations in Paragraph 122.
123. Defendant denies the allegations in Paragraph 123.
124. Defendant denies the allegations in Paragraph 124.
125. Defendant denies the allegations in Paragraph 125.
126. Defendant denies the allegations in Paragraph 126.
127. Defendant denies the allegations in Paragraph 127.
128. Defendant denies the allegations in Paragraph 128.
129. Defendant denies the allegations in Paragraph 129.
130. Defendant denies the allegations in Paragraph 130.
131. Defendant denies the allegations in Paragraph 131.
132. Defendant denies the allegations in Paragraph 132.
133. Defendant denies the allegations in Paragraph 133.
134. Defendant denies the allegations in Paragraph 134.
135. Defendant denies the allegations in Paragraph 135.
136. Defendant denies the allegations in Paragraph 136.
137. Defendant denies the allegations in Paragraph 137.
138. Defendant denies the allegations in Paragraph 138.
139. Defendant denies the allegations in Paragraph 139.
140. Defendant denies the allegations in Paragraph 140.
141. Defendant denies the allegations in Paragraph 141.
142. Defendant denies the allegations in Paragraph 142.
143. Defendant denies the allegations in Paragraph 143.

144. Defendant denies the allegations in Paragraph 144.
145. Defendant denies the allegations in Paragraph 145.
146. Defendant denies the allegations in Paragraph 146.
147. Defendant denies the allegations in Paragraph 147.
148. Defendant denies the allegations in Paragraph 148.
149. Defendant denies the allegations in Paragraph 149.
150. Defendant denies the allegations in Paragraph 150.
151. Defendant denies the allegations in Paragraph 151.
152. Defendant denies the allegations in Paragraph 152.
153. Defendant denies the allegations in Paragraph 153.
154. Defendant denies the allegations in Paragraph 154.
155. Defendant denies the allegations in Paragraph 155.
156. Defendant denies the allegations in Paragraph 156.
157. Defendant denies the allegations in Paragraph 157.
158. Defendant denies the allegations in Paragraph 158.
159. Defendant denies the allegations in Paragraph 159.
160. Defendant denies the allegations in Paragraph 160.
161. Defendant denies the allegations in Paragraph 161.
162. Defendant denies the allegations in Paragraph 162.
163. Defendant denies the allegations in Paragraph 163.
164. Defendant denies the allegations in Paragraph 164.
165. Defendant denies the allegations in Paragraph 165.
166. Defendant denies the allegations in Paragraph 166.

167. Defendant denies the allegations in Paragraph 167.
168. Defendant denies the allegations in Paragraph 168.
169. Defendant denies the allegations in Paragraph 169.
170. Defendant denies the allegations in Paragraph 170.
171. Defendant denies the allegations in Paragraph 171.
172. Defendant denies the allegations in Paragraph 172.
173. Defendant denies the allegations in Paragraph 173.
174. Defendant denies the allegations in Paragraph 174.
175. Defendant denies the allegations in Paragraph 175.
176. Defendant denies the allegations in Paragraph 176.
177. Defendant denies the allegations in Paragraph 177.
178. Defendant denies the allegations in Paragraph 178.
179. Defendant denies the allegations in Paragraph 179.
180. Defendant denies the allegations in Paragraph 180.
181. Defendant denies the allegations in Paragraph 181.
182. Defendant denies the allegations in Paragraph 182.
183. Defendant denies the allegations in Paragraph 183.
184. Defendant denies the allegations in Paragraph 184.
185. Defendant denies the allegations in Paragraph 185.
186. Defendant denies the allegations in Paragraph 186.
187. Defendant denies the allegations in Paragraph 187.
188. Defendant denies the allegations in Paragraph 188.
189. Defendant denies the allegations in Paragraph 189.

190. Defendant denies the allegations in Paragraph 190.
191. Defendant denies the allegations in Paragraph 191.
192. Defendant denies the allegations in Paragraph 192.
193. Defendant denies the allegations in Paragraph 193.
194. Defendant denies the allegations in Paragraph 194.
195. Defendant denies the allegations in Paragraph 195.
196. Defendant denies the allegations in Paragraph 196.
197. Defendant denies the allegations in Paragraph 197.
198. Defendant denies the allegations in Paragraph 198.
199. Defendant denies the allegations in Paragraph 199.
200. Defendant denies the allegations in Paragraph 200.
201. Defendant denies the allegations in Paragraph 201.
202. Defendant denies the allegations in Paragraph 202.
203. Defendant denies the allegations in Paragraph 203.
204. Defendant denies the allegations in Paragraph 204.
205. Defendant denies the allegations in Paragraph 205.
206. Defendant denies the allegations in Paragraph 206.
207. Defendant denies the allegations in Paragraph 207.
208. Defendant denies the allegations in Paragraph 208.
209. Defendant denies the allegations in Paragraph 209.
210. Defendant denies the allegations in Paragraph 210.
211. Defendant denies the allegations in Paragraph 211.
212. Defendant denies the allegations in Paragraph 212.

- 213. Defendant denies the allegations in Paragraph 213.
- 214. Defendant denies the allegations in Paragraph 214.
- 215. Defendant denies the allegations in Paragraph 215.
- 216. Defendant denies the allegations in Paragraph 216.
- 217. Defendant denies the allegations in Paragraph 217.
- 218. Defendant denies the allegations in Paragraph 218.
- 219. Defendant denies the allegations in Paragraph 219.
- 220. Defendant denies the allegations in Paragraph 220.
- 221. Defendant denies the allegations in Paragraph 221.
- 222. Defendant denies the allegations in Paragraph 222.
- 223. Defendant denies the allegations in Paragraph 223.
- 224. Defendant denies the allegations in Paragraph 224.
- 225. Defendant denies the allegations in Paragraph 225.
- 226. Defendant denies the allegations in Paragraph 226.
- 227. Defendant denies the allegations in Paragraph 227.
- 228. Defendant denies the allegations in Paragraph 228.
- 229. Defendant denies the allegations in Paragraph 229.
- 230. Defendant denies the allegations in Paragraph 230.
- 231. Defendant denies the allegations in Paragraph 231.
- 232. Defendant denies the allegations in Paragraph 232.
- 233. Defendant denies the allegations in Paragraph 233.
- 234. Defendant denies the allegations in Paragraph 234.
- 235. Defendant denies the allegations in Paragraph 235.

236. Defendant denies the allegations in Paragraph 236.

237. Defendant denies the allegations in Paragraph 237.

238. Defendant denies the allegations in Paragraph 238.

239. Defendant denies the allegations in Paragraph 239.

240. Defendant denies the allegations in Paragraph 240.

241. Defendant denies the allegations in Paragraph 241.

242. Defendant denies the allegations in Paragraph 242.

243. Defendant denies the allegations in Paragraph 243.

244. Defendant denies the allegations in Paragraph 244.

WHEREFORE Defendant demands judgement in its favor and against Plaintiff denying Plaintiff's claim with prejudice and awarding Defendant such other and further relief as the Court deems just and appropriate.

COUNT III
(NEGLIGENT AND/OR GROSSLY NEGLIGENT RETENTION)

245. Defendant repeats and re-alleges all aforementioned responses as if fully incorporated herein.

246. Defendant denies the allegations in Paragraph 246.

247. Defendant denies the allegations in Paragraph 247.

248. Defendant denies the allegations in Paragraph 248.

249. Defendant denies the allegations in Paragraph 249.

250. Defendant denies the allegations in Paragraph 250.

251. Defendant denies the allegations in Paragraph 251.

252. Defendant denies the allegations in Paragraph 252.

WHEREFORE Defendant demands judgement in its favor and against Plaintiff denying Plaintiff's claim with prejudice and awarding Defendant such other and further relief as the Court deems just and appropriate.

COUNT IV
(NEGLIGENT AND/OR GROSSLY NEGLIGENT FAILURE TO TRAIN RELATING TO CHILD ABUSE)

253. Defendant repeats and re-alleges all aforementioned responses as if fully incorporated herein.

254. Defendant denies the allegations in Paragraph 254.

255. Defendant denies the allegations in Paragraph 255.

256. Defendant denies the allegations in Paragraph 256.

257. Defendant denies the allegations in Paragraph 257.

258. Defendant denies the allegations in Paragraph 258.

259. Defendant denies the allegations in Paragraph 259.

260. Defendant denies the allegations in Paragraph 260.

261. Defendant denies the allegations in Paragraph 261.

262. Defendant denies the allegations in Paragraph 262.

263. Defendant denies the allegations in Paragraph 263.

264. Defendant denies the allegations in Paragraph 264.

265. Defendant denies the allegations in Paragraph 265.

266. Defendant denies the allegations in Paragraph 266.

267. Defendant denies the allegations in Paragraph 267.

268. Defendant denies the allegations in Paragraph 268.

269. Defendant denies the allegations in Paragraph 269.

- 270. Defendant denies the allegations in Paragraph 270.
- 271. Defendant denies the allegations in Paragraph 271.
- 272. Defendant denies the allegations in Paragraph 272.
- 273. Defendant denies the allegations in Paragraph 273.
- 274. Defendant denies the allegations in Paragraph 274.
- 275. Defendant denies the allegations in Paragraph 275.
- 276. Defendant denies the allegations in Paragraph 276.
- 277. Defendant denies the allegations in Paragraph 277.
- 278. Defendant denies the allegations in Paragraph 278.
- 279. Defendant denies the allegations in Paragraph 279.
- 280. Defendant denies the allegations in Paragraph 280.
- 281. Defendant denies the allegations in Paragraph 281.
- 282. Defendant denies the allegations in Paragraph 282.
- 283. Defendant denies the allegations in Paragraph 283.

WHEREFORE Defendant demands judgement in its favor and against Plaintiff denying Plaintiff's claim with prejudice and awarding Defendant such other and further relief as the Court deems just and appropriate.

COUNT V
(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)

284. Defendant repeats and re-alleges all aforementioned responses as if fully incorporated herein.

- 285. Defendant denies the allegations in Paragraph 285.
- 286. Defendant denies the allegations in Paragraph 286.
- 287. Defendant denies the allegations in Paragraph 287.

288. Defendant denies the allegations in Paragraph 288.

289. Defendant denies the allegations in Paragraph 289.

290. Defendant denies the allegations in Paragraph 290.

WHEREFORE Defendant demands judgement in its favor and against Plaintiff denying Plaintiff's claim with prejudice and awarding Defendant such other and further relief as the Court deems just and appropriate.

COUNT VI
(NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS)

291. Defendant repeats and re-alleges all aforementioned responses as if fully incorporated herein.

292. Defendant denies the allegations in Paragraph 292.

293. Defendant denies the allegations in Paragraph 293.

294. Defendant denies the allegations in Paragraph 294.

295. Defendant denies the allegations in Paragraph 295.

296. Defendant denies the allegations in Paragraph 296.

297. Defendant denies the allegations in Paragraph 297.

298. Defendant denies the allegations in Paragraph 298.

WHEREFORE Defendant demands judgement in its favor and against Plaintiff denying Plaintiff's claim with prejudice and awarding Defendant such other and further relief as the Court deems just and appropriate.

COUNT VII
(SEXUAL ABUSE AND BATTERY)

299. Defendant repeats and re-alleges all aforementioned responses as if fully incorporated herein.

300. Defendant denies the allegations in Paragraph 300.

301. Defendant denies the allegations in Paragraph 301.

302. Defendant denies the allegations in Paragraph 302.

303. Defendant denies the allegations in Paragraph 303.

304. Defendant denies the allegations in Paragraph 304.

305. Defendant denies the allegations in Paragraph 305.

306. Defendant denies the allegations in Paragraph 306.

307. Defendant denies the allegations in Paragraph 307.

308. Defendant denies the allegations in Paragraph 308.

309. Defendant denies the allegations in Paragraph 309.

310. Defendant denies the allegations in Paragraph 310.

311. Defendant denies the allegations in Paragraph 311.

WHEREFORE Defendant demands judgement in its favor and against Plaintiff denying Plaintiff's claim with prejudice and awarding Defendant such other and further relief as the Court deems just and appropriate.

COUNT VIII
(PUNITIVE DAMAGES)

312. Defendant repeats and re-alleges all aforementioned responses as if fully incorporated herein.

313. Defendant denies the allegations in Paragraph 313.

314. Defendant denies the allegations in Paragraph 314.

315. Defendant denies the allegations in Paragraph 315.

316. Defendant denies the allegations in Paragraph 316.

WHEREFORE Defendant demands judgement in its favor and against Plaintiff denying Plaintiff's claim with prejudice and awarding Defendant such other and further relief as the Court deems just and appropriate.

AFFIRMATIVE DEFENSES

By alleging the affirmative defenses set forth below, Defendant does not allege or admit that it has the burden of proof and/or the burden of persuasion with respect to any of these matters.

FIRST AFFIRMATIVE DEFENSE

The Complaint fails to state a cause of action against Defendant.

SECOND AFFIRMATIVE DEFENSE

If Plaintiff has sustained damages as alleged in the Complaint, which Defendant denies, Plaintiff's claims are barred or reduced, in whole or in part, by the doctrines of contributory or comparative negligence.

THIRD AFFIRMATIVE DEFENSE

If Plaintiff has suffered any injury or incurred any damages, which Defendant denies, that injury or damage was caused, in whole or in part, by: (1) the acts or omissions of persons other than Defendant and over whom Defendant had no control; or (2) superseding or intervening causes over which Defendant had no control.

FOURTH AFFIRMATIVE DEFENSE

Defendant owed no duty of care toward Plaintiff.

FIFTH AFFIRMATIVE DEFENSE

The injuries, damages, or losses, if any, sustained by Plaintiff were not reasonably foreseeable and were not the result of any conduct or negligence by Defendant.

SIXTH AFFIRMATIVE DEFENSE

Plaintiff has failed to mitigate the damage, if any, that Plaintiff has allegedly sustained and to exercise reasonable care to avoid the consequences of harms, if any, by, among other things, failing to use reasonable diligence, failing to use reasonable means to prevent aggravation of any injury, and failing to take reasonable precautions to reduce any injury and damage.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiff's alleged damages, losses, and/or injuries were not proximately caused by any act or omission of Defendant.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred, in whole or in part, by applicable statutes of limitations and/or repose.

NINTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred in whole or in part by the doctrines of estoppel, collateral estoppel, laches, and/or waiver.

TENTH AFFIRMATIVE DEFENSE

Defendant denies any negligence because, at all times relevant to the Complaint, they met or exceeded the requisite standard of care.

ELEVENTH AFFIRMATIVE DEFENSE

Defendant acted reasonably and in good faith based on all relevant facts and circumstances known by Defendant at the time they so acted.

TWELFTH AFFIRMATIVE DEFENSE

Any injuries Plaintiff sustained are the result of an unforeseeable series of events over which Defendant had no control.

THIRTEENTH AFFIRMATIVE DEFENSE

If Plaintiff has sustained damages as alleged in the Complaint, which Defendant denies, Plaintiff's damages were the result of Plaintiff's unforeseeable pre-existing medical conditions or other medical conditions for which Defendant cannot be held responsible.

FOURTEENTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred by the doctrines of res judicata and/or collateral estoppel.

FIFTEENTH AFFIRMATIVE DEFENSE

Defendant is entitled to an offset and/or reduction and Plaintiff is barred from recovering any and all amounts paid for Plaintiff's alleged injuries and damages by way of settlement or judgment of any claim, incident or lawsuit which may have contributed to the injuries and damages referred to in the Complaint, in the event Defendant should be found liable to Plaintiff, although this supposition is denied and only stated for the purposes of this affirmative defense.

SIXTEENTH AFFIRMATIVE DEFENSE

Plaintiff's claim for punitive or exemplary damages fails to state a claim upon which relief can be granted.

SEVENTEENTH AFFIRMATIVE DEFENSE

To the extent Plaintiff seeks recovery of punitive or exemplary damages against Defendant, unless Defendant's liability for punitive damages and the appropriate amount of punitive damages is required to be established by clear and convincing evidence, any award of punitive damages would violate Defendant's due process protections afforded by the United States Constitution, the excessive fines clause of the Eighth Amendment of the United States Constitution, the Commerce Clause of the United States Constitution, the Full Faith and Credit Clause of the United States Constitution, rights guaranteed by the Fourteenth Amendment to the

United States Constitution and by the applicable state constitution, and would be improper under the common law and public policies of that state. Any law, statute, or other authority purporting to permit the recovery of punitive damages in this case is unconstitutional, facially, and as applied, to the extent that, without limitation, it: (1) lacks constitutionally sufficient standards to guide and restrain the jury's discretion in determining whether to award punitive damages and/or the amount, if any; (2) is void for vagueness, both facially and as applied, because it fails to provide adequate advance notice as to what conduct will result in punitive damages or what punishment will be imposed; (3) unconstitutionally may permit recovery of punitive damages based on out-of-state conduct, conduct that complied with applicable law, or conduct that was not directed at Plaintiff or did not proximately cause harm, if any, to Plaintiff; (4) unconstitutionally may permit recovery of punitive damages in an amount that is not both reasonable and proportionate to the amount of harm, if any, to Plaintiff and to the amount of compensatory damages, if any; (5) unconstitutionally may permit jury consideration of net worth or other financial information relating to Defendant; (6) is not subject to adequate trial court and appellate judicial review for reasonableness and furtherance of legitimate purposes on the basis of objective standards; (7) lacks constitutionally sufficient standards for appellate review of punitive damages awards; and (8) otherwise fails to satisfy Supreme Court precedent, including without limitation, *Pacific Mutual Life Ins. Co. v. Haslip*, 499 U.S. 1 (1991); *TXO Production Corp. v. Alliance Resources, Inc.*, 509 U.S. 443 (1993); *BMW of North America, Inc. v. Gore*, 517 U.S. 559 (1996); *State Farm Ins. Co. v. Campbell*, 538 U.S. 408 (2003).

EIGHTEENTH AFFIRMATIVE DEFENSE

To the extent Plaintiff seeks recovery of punitive or exemplary damages against Defendant, any such claim of Plaintiff for punitive damages against Defendant cannot be

maintained, because an award of punitive damages under applicable law would be unlawful, as a result of, among other deficiencies, the absence of a predetermined limit, such as a maximum multiple of compensatory damages or a maximum amount, on the amount of punitive damages that a jury may impose, all in violation of the due process clause of the Fourteenth Amendment to the United States Constitution, the applicable state constitution, and the common law and public policies of that state.

NINETEENTH AFFIRMATIVE DEFENSE

To the extent Plaintiff seeks recovery of punitive or exemplary damages against Defendant, any such claim of Plaintiff for punitive damages against Defendant cannot be maintained, because any award of punitive damages under applicable law would be by a jury that: (1) is not provided standards of sufficient clarity for determining the appropriateness, and the appropriate size, of a punitive damages award, (2) is not adequately instructed on the limits on punitive damages imposed by the applicable principles of deterrence and punishment, (3) is not expressly prohibited from awarding punitive damages, or determining the amount of an award of punitive damages, in whole or in part, on the basis of invidiously discriminatory characteristics, including the residence, wealth, and corporate status of Defendant, and (4) is permitted to award punitive damages under a standard for determining liability for punitive damages that is vague and arbitrary and does not define with sufficient clarity the conduct or mental state that makes punitive damages permissible. Any such verdict would violate Defendant's due process rights guaranteed by the Fourteenth Amendment to the United States Constitution and by the due process and equal protection provisions of the applicable state constitution, and would be improper under the common law and public policies of that state.

TWENTIETH AFFIRMATIVE DEFENSE

To the extent that the Complaint seeks punitive or exemplary damages, the Due Process Clause of the United States Constitution must govern any award of punitive or exemplary damages, and the purported profits of Defendant outside the State of New Jersey may not be brought into consideration.

TWENTY-FIRST AFFIRMATIVE DEFENSE

To the extent that the Complaint seeks punitive or exemplary damages, Plaintiff's claims are barred in whole or in part because punitive or other exemplary damages are not recoverable for the causes of action set forth in the Complaint, or in the alternative, the allegations of each cause of action in the Complaint are legally insufficient to support a claim for punitive or exemplary damages as to each cause of action.

TWENTY-SECOND AFFIRMATIVE DEFENSE

To the extent that the Complaint seeks punitive or exemplary damages, Plaintiff's claims are barred in whole or in part because Defendant did not act with the requisite level of conduct to be subjected to, or that would otherwise support, any punitive or exemplary damages award in this action. Accordingly, any award of punitive or exemplary damages would be improper under the United States Constitution and the common law and public policies of New Jersey.

TWENTY-THIRD AFFIRMATIVE DEFENSE

The Complaint is barred because Plaintiff lacks standing.

TWENTY-FOURTH AFFIRMATIVE DEFENSE

If and only if Plaintiff's allegations are accurate, then Defendant asserts its entitlement to an apportionment of fault by the trier of fact between any person (legal or natural) to whom apportionment of fault may be made under statutory and common law principles.

TWENTY-FIFTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred by the doctrine of Charitable Immunity and/or the Free Exercise Clause or the Establishment Clause of the First Amendment of the United States Constitution.

TWENTY-SIXTH AFFIRMATIVE DEFENSE

The Complaint is barred because the New Jersey Child Victim's Act violates the Due Process Clause of the New Jersey State Constitution on its face and as applied to Defendant.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE

The Complaint is barred by the Entire Controversy Doctrine and the Mandatory Joinder Rule.

TWENTY-EIGHTH AFFIRMATIVE DEFENSE

Defendant adopts and incorporates by reference in this Answer any defenses that may be raised by any other defendant who may be joined in this action. Defendant further gives notice that they intend to rely on any additional defenses that become available or apparent during discovery, and thus reserve the right to amend this Answer to assert any such additional defenses.

DESIGNATION OF TRIAL COUNSEL

Defendant hereby designates Anthony P. La Rocco as trial counsel.

Dated: December 10, 2021

Respectfully submitted,

By: /s/ Anthony P. La Rocco

Anthony P. La Rocco

Dana B. Parker

Thomas A. Zelante, Jr.

K&L GATES LLP

One Newark Center, 10th Floor

Newark, New Jersey 07102

P: (973) 848-4000

F: (973) 848-4001

*Attorneys for Defendant Watchtower Bible
and Tract Society of New York, Inc.*

Civil Case Information Statement

Case Details: BERGEN | Civil Part Docket# L-005508-21

Case Caption: PANDELO CORINNE VS THE GOVERNING BODY O F JEHOVA

Case Type: PERSONAL INJURY

Case Initiation Date: 08/18/2021

Document Type: Answer

Attorney Name: THOMAS A ZELANTE JR

Jury Demand: YES - 12 JURORS

Firm Name: K&L GATES LLP

Is this a professional malpractice case? NO

Address: ONE NEWARK CENTER 10TH FL

Related cases pending: NO

NEWARK NJ 071025285

If yes, list docket numbers:

Phone: 9738484000

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Name of Party: DEFENDANT : WATCHTOWER BIBLE

Are sexual abuse claims alleged by: CORINNE PANDELO? YES

ANDTRACT SO C

Plaintiff's date of birth: 06/14/1974

Name of Defendant's Primary Insurance Company

Est. date of first incident of abuse: 01/01/1979

(if known): None

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

12/10/2021

Dated

/s/ THOMAS A ZELANTE JR

Signed

