

IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA

FILED
2013 MAY 29 P 4:22
CLERK OF SUPERIOR COURT
DEKALB COUNTY GA

THE COMMUNITY CENTER OF
SOUTH DECATUR, INC.,

Plaintiff,

v.

PROGRESSIVE DECATUR, LLC; JILL
CELESTE ALIKONIS d/b/a
McGOWAN'S OAKHURST PUB and
JILL CELESTE GALLERY; and,
PALATE CAFÉ, INC.,

Defendants.

Civil Action File No. 13-CV-3283-6

COPY

PLAINTIFF THE COMMUNITY CENTER OF SOUTH DECATUR, INC.'S
ANSWER AND AFFIRMATIVE DEFENSES TO
DEFENDANT PROGRESSIVE DECATUR, LLC'S COUNTERCLAIMS

COMES NOW, Plaintiff The Community Center of South Decatur, Inc. ("CCSD"), and states and affirms that the allegations set forth in *Defendant Progressive Decatur, LLC's Counterclaims Against Plaintiff* (the "Counterclaims") are automatically denied pursuant to O.C.G.A. § 9-11-12(a); however, the incendiary and inflammatory nature of the Counterclaims requires CCSD to file this its *Answer and Affirmative Defenses* by way of further response to the Counterclaims respectfully showing this Court the following:

FIRST AFFIRMATIVE DEFENSE

The Counterclaims fail to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

The Counterclaims regarding slander are barred in whole or in part by the affirmative defense of truth pursuant to O.C.G.A. § 51-5-6.