

5/19/2009

full-page articles each time a massage parlor gets busted for prostitution.” To the contrary, the Reading Eagle newspaper does not print a full-page article each time any massage parlor is busted for prostitution. After reasonable investigation, Flippin is without knowledge or information sufficient to form a belief as to the truth of the remaining averments in paragraph 34. By way of further answer, the personal allegations against Defendant Gerhart are scandalous or impertinent matter that should be stricken under Pa. R. Civ. P. 1028(a)(2).

35. Denied. With regard to the averments that “[i]t is apparent to the Plaintiff that time has passed [Defendant Gerhart] by, and that her job has caused her to take leave of her senses” and that she has “stray[cd] so very far from reality and los[t] touch with the common person,” after reasonable investigation, Flippin is without knowledge or information sufficient to form a belief as to the truth of these averments. Alternatively, these averments are rhetorical statements, which constitutes improper pleading. Accordingly, Flippin has no obligation to respond to these averments. With regard to the averment in the first sentence of paragraph 35 that “Gerhart is a lady for the ages,” because Plaintiff does not define “lady for the ages,” after reasonable investigation, Flippin is without knowledge or information sufficient to form a belief as to the truth of this averment. By way of further answer, the personal allegations against Defendant Gerhart are scandalous or impertinent matter that should be stricken under Pa. R. Civ. P. 1028(a)(2).

36. Denied. The averment that Flippin has a monopoly on the newsprint market for minorities is specifically denied. To the contrary, Flippin does not have a monopoly on the newsprint market for minorities. Alternatively, this averment is a conclusion of law to which no response is required. The averment that “Perhaps these Defendants would like to shell out some