

In the State Court for the County of Fulton  
in the State of Georgia

Michael Morrison	) Case No.: 22EV000622
Plaintiff,	)
	)
	) Answer:
	)
v.	)
	)
	)
	)
Jason Gervais.	)
Defendant.	)

COMES NOW the Defendant Jason Gervais in answering the allegations  
of Plaintiff Michael Morrison's Complaint, and denies each and every  
allegation made by the Plaintiff Michael Morrison.

1. Defendant is not a resident of Georgia. For the safety of  
defendant choose not to list address because of threats by  
Plaintiff Michael Morrison.
2. The Plaintiff Michael Morrison attacked the Defendant based on the  
fact that the Plaintiff Michael Morrison has a small penis, which  
greatly affects his daily life. It may be uncomfortable to  
discuss, but it is the truth and the basis of this whole  
situation. Unknown to the Defendant that Plaintiff Michael  
Morrison was already sensitive about his penis being small, as he  
had previously been made fun of by a mutual acquaintance.
3. The Defendant made two inappropriate comments about the Plaintiff  
Michael Morrison's having a little penis, which caused the

Plaintiff Michael Morrison to lose control and physically attack the Defendant. It is important to note that this was the only time the Defendant ever communicated with the Plaintiff Michael Morrison before being attacked. It's been so long but Defendant comments were something along the lines of ha-ha you have a little dick or maybe pencil dick.

4. Defendant knows making comments about Morrison having a small penis is inappropriate and didn't realize it was going to trigger a violent attack.
5. The Defendant further asserts that the Plaintiff Michael Morrison's lawsuit is part of a pattern of harassment and retaliation against the Defendant.
6. The Defendant was the victim of a physical attack by the Plaintiff Michael Morrison, resulting in a broken nose.
7. The Plaintiff Michael Morrison then engaged in an elaborate scheme to have the Defendant arrested, but all charges were ultimately dropped.
8. The Plaintiff Michael Morrison case did go in front of a grand jury and the grand jury elected to indict Plaintiff Michael Morrison.
9. Additionally the DA was going to prosecute, but defendant left the state of GA after waiting for approximately 10 years and the case was eventually dropped because defendant was out of the country at the time.

10. The Defendant believes that the Plaintiff Michael Morrison's current lawsuit is simply another attempt to harass and retaliate against the Defendant.

11. The Defendant further demands strict proof thereof and reserves the right to plead any and all affirmative defenses that may be available to him.

#### Affirmative Defenses

NOTWITHSTANDING THE DEFENSES SET FORTH BELOW, Defendant also submits the following affirmative defenses:

Comes now the Defendant Jason Gervais and denies each and every allegation made by the Plaintiff Michael Morrison. The Defendant asserts the following defenses in response:

- Defense 1: Failure to State a Claim. The Plaintiff Michael Morrison's Complaint fails to state a claim for which relief can be obtained. The Complaint contains vague and conclusory allegations that fail to specify any actionable conduct on the part of the Defendant.
- Defense 2: Lack of Subject Matter Jurisdiction. This Court lacks subject matter jurisdiction over this action. The Plaintiff Michael Morrison has failed to demonstrate that the Defendant engaged in any conduct that would give rise to liability under the relevant law.


- Defense 3: Improper Venue. This venue is improper for this action.

The Defendant asserts that the case should be heard in a different jurisdiction that is more appropriate given the facts of the case.

- Defense 4: Statute of Limitations. The statute of limitations to this action has expired, barring Plaintiff Michael Morrison's ability to bring this action. The Defendant asserts that the Plaintiff Michael Morrison has waited too long to bring this lawsuit, and is now time-barred from seeking any relief.

WHEREFORE, Defendant requests that this Court deny Plaintiff Michael Morrison's claims, enter judgment in favor of Defendant, dismiss this suit with prejudice, and award Defendant its fees and costs, including attorney fees, reasonably incurred in connection to this matter. The Defendant also requests that the Court prohibit the Plaintiff Michael Morrison from filing any further lawsuits, claims, or communications against the Defendant, as the Plaintiff Michael Morrison has no basis for any such actions."

Respectfully submitted this 1<sup>st</sup> day of May, 2023

A handwritten signature in black ink, appearing to read 'Jason Gervais', is written over a horizontal line.

Name: Jason Gervais

Defendant