



FILED

NOV 9 2020

STATE BAR OF NEVADA  
BY: B. Felix  
OFFICE OF BAR COUNSEL

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Attorney for Respondent

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7 STATE BAR OF NEVADA  
8 SOUTHERN NEVADA DISCIPLINARY BOARD

9 STATE BAR OF NEVADA  
10 Complainant,

11 vs.

12 THOMAS C. MICHAELIDES  
13 Nevada Bar No. 5425,  
14 Respondent.

CASE NO: OBC20-0444

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**RESPONDENT'S  
ANSWER TO COMPLAINT**

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RESPONDENT, THOMAS C. MICHAELIDES, by and through his attorney  
THOMAS C. MICHAELIDES of The TCM LAW GROUP, answers Complainant's  
complaint on file herein as follows:

**GENERAL ALLEGATIONS**

1. Respondent admits the following paragraphs: 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13,  
14,15, 16, 17, and 18.

2. Respondent denies the following paragraphs: 2 and 12.

3. Further Response – Respondent wishes to note that a former disgruntled  
employee is believed to have forged the document that was sent to

1 Respondent's agent, Peter Novak. Respondent was in no way ever aware that  
2 the document in question was a forgery.  
3

4 **COUNT ONE**

5 **Candor Toward the Tribunal**

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7 1. Respondent admits the following paragraphs: 19.

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9 2. Respondent denies the following paragraphs: 20, 21, 22 and 23.

10 **COUNT TWO**

11 **Fairness to Opposing Party and Counsel**

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13 1. Respondent admits the following paragraphs: 24

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15 2. Respondent denies the following paragraphs: 25, 26, and 27

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17 **COUNT THREE**

18 **Truthfulness in Statements to Others**

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20 1. Respondent admits the following paragraphs: 28.

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22 2. Respondent Denies the following paragraphs: 29, 30, and 31

23

24 **COUNT FOUR**

25 **Communication with Persons Represented by Counsel**

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27 1. Respondent admits the following paragraphs: 32.

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1           2. Respondent denies the following paragraphs: 33, 34, and 35

2           3           4           AFFIRMATIVE DEFENSES

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1. Complainant's claims against this answering Respondent are barred by the Doctrine of Unclean Hands.

2. The damages allegedly suffered by Complainant, if any, were caused in whole or in part by the acts and omissions of third parties over whom this answering Respondent has, and had, no control.

3. Contributory Negligence: Whatever injuries and damages were sustained by Complainant as the result of the alleged acts of Respondent were caused in whole or in part or were contributed to by reason of the negligence of Complainant.

4. Comparative Negligence: The incident alleged in Complainant's complaint, and resulting damages, if any, to Complainant, were caused or contributed to by Complainant's own negligence, and such negligence was greater than the negligence, which is expressly denied, of this answering Respondent.

5. Intervening Cause: Even if Complainant's allegations are correct, intervening cause may be the reason for those asserted damages due to the delay in the Complainant's pursuing his prayers for judicial relief.

6. Mitigation: Complainant failed to mitigate its damages.

7. A former employee of this office may have forged the document that was sent to the Respondent's agent, peter Novak.

7. All affirmative defenses set forth in FRCP 8 are incorporated herein for the specific purpose of not waiving same

## **FURTHER RESPONSE AND GENERAL DENIAL**

As for the Defendants' further response to Plaintiff's Complaint, Defendant denies each and every, all and singular allegations contained therein not hereinbefore expressly admitted, denied or otherwise qualified.

WHEREFORE, Respondent prays Complainant take nothing by way of its Complaint.

DATED this 9th day of November, 2020.

## TCM LAW GROUP

/s/ Thomas C. Michaelides  
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*Attorney for Respondent*

## DECLARATION

I, THOMAS C. MICHAELIDES, Declare under penalty of perjury:

That I am the Defendant's representative in the above-entitled action; that I have read the above and foregoing ANSWER and know the contents thereof and that the same is true of my own knowledge, except as to those matters therein stated on information and belief, and as to those matters, I believe them to be true.

/s/ Thomas C. Michaelides  
THOMAS C. MICHAELIDES

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that on the 9th day of November, 2020, a true and correct copy of the foregoing ANSWER was served via odyssey E-Mail to:

## STATE BAR OF NEVADA

/s/ Eric Tucker

An employee of  
TCM LAW GROUP