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IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

JEFFREY D. GASTON, Plaintiff, vs JASON HALL, an individual, NATALIE HALL, an individual, GEORGE SCHLIESSER, an individual, and WOODCRAFT MILL & CABINET, INC., a Utah corporation. Defendants.	**PLAINTIFF AND THIRD-PARTY DEFENDANTS' REPLY AND ANSWER TO COUNTERCLAIM AND THIRD-PARTY COMPLAINTS** Civil No. 230905528 Judge Chelsea Koch
JASON HALL, et al. Counterclaimants, vs. JEFFREY D. GASTON, Counterclaim Defendant.	

JASON HALL, an individual, NATALIE HALL, an individual, GEORGE SCHLIESSER, an individual, and WOODCRAFT MILL & CABINET, INC., a Utah corporation, Third Party Plaintiffs, vs CONNIE PAVLAKIS, an individual, and CONNIE ROBBINS, an individual, Third-Party Defendants.	

Plaintiff Jeffrey D. Gaston ("Gaston") and Third-Party Defendants Connie Pavlakis ("Pavlakis") and Connie Robbins ("Robbins") (collectively Counterclaim Defendants), by and through their counsel of record, Joseph A. Skinner and Scott L. Sackett II of and for Scalley Reading Bates Hansen & Rasmussen, P.C., hereby respond to the Hall Defendants' Counterclaim and Third-Party Complaints (collectively the "Counterclaim") as follows:

INTRODUCTION

While the Hall Defendants' "Introduction" is a narrative of purported factual assertions of the Hall Defendants, Counterclaim Defendants deny many of the factual assertions contained therein, including any allegation or insinuation that the Counterclaim Defendants have acted improperly or committed any act which would subject them to liability under the causes of action asserted by the Hall Defendants. Out of an abundance of caution, and despite any properly numbered paragraphs related to same, Counterclaim Defendants deny all allegations in the Introduction not otherwise responded to herein and assert the following brief narrative in general

denial.

Specifically, upon information and belief, the Counterclaim is a continuation of the Hall Defendants' efforts to improperly benefit Defendant Natalie Hall's mayoral campaign, including her current mayoral campaign through various means, such as through the current improper use of the court system to publicize false narratives and to attempt to threaten and intimidate her opponents (similar to Gaston's allegations in which it is alleged that the Hall Defendants threatened Gaston in an effort to benefit Defendant Natalie Hall's prior mayoral campaign). To the extent it is found that the Hall Defendants' claims are pursued in bad faith, especially as it relates to the inclusion of Pavlakis and Robbins in this lawsuit, the Counterclaim Defendants seek an award of their attorneys' fees and costs as permitted by Utah law.

JURISDICTION AND VENUE

1. Admit.
2. Admit.
3. Admit.
4. Admit.
5. Admit.
6. Admit.
7. Paragraph 7 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, admit.
8. Paragraph 8 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, admit.

GENERAL ALLEGATIONS

9. Deny that Gaston moved to Bluffdale soon after graduating college. Admit the remaining allegations contained in Paragraph 9 of the Counterclaim.
10. Deny.
11. Deny, and affirmatively allege that the purported link was posted by someone other than Mark Hales.
12. Admit.
13. Deny.
14. Admit.
15. Deny.
16. Deny.
17. Deny.
18. Deny.
19. Deny.
20. Deny.
21. Deny for lack of information.
22. Deny and affirmatively allege that Mrs. Hall was reprimanded for engaging in certain purported city duties without proper approval.
23. Deny and affirmatively allege that Mrs. Hall requested the city grant her additional roles.
24. Deny.
25. Admit that Gaston took issue with Mrs. Hall's management over City communications.

Deny the remaining allegations contained in Paragraph 25 of the Counterclaim.

26. Deny.

27. Deny.

28. Deny and affirmatively allege that Pavlakis created the Old West Days website in 2012, years before Mrs. Hall was ever employed by or involved with the City.

29. Deny.

30. Deny.

31. Deny.

32. Deny for lack of information.

33. Deny.

34. Deny.

35. Deny.

36. Admit upon information and belief and affirmatively allege that the conduct complained of therein was legally permissible.

37. Admit upon information and belief and affirmatively allege that the conduct complained of therein was legally permissible.

38. Deny that Robbins had help from anyone in the City as the information identified in the letter, including the purported improper favorable treatment given to Mrs. Hall at the City's expense, was public record. Deny the remaining allegations contained in Paragraph 38 of the Counterclaim.

39. Deny and affirmatively allege that Aston called and texted Gaston after Aston had

received the purported letter and Aston stated that the information should be turned into the City.

40. Deny for lack of information.

41. Deny for lack of information and affirmatively allege that no report was ever produced to the Counterclaim Defendants.

42. Deny for lack of information and affirmatively allege that no report was ever produced to the Counterclaim Defendants.

43. Admit upon information and belief.

44. Admit that the letter contained information indicating the City Manager, Mark Reid, and Mrs. Hall were having an inappropriate relationship which supported her increase in power, and affirmatively allege that the content of the letter was a summary of multiple reports that Pavlakis had received from citizens of the City, as opposed to Pavlakis' own assertions. Deny the remaining allegations contained in Paragraph 44 of the Counterclaim.

45. Deny for lack of information.

46. Deny for lack of information.

47. Deny that Gaston did not wish her luck in the race. Deny the remaining allegations contained in Paragraph 47 of the Counterclaim for lack of information and affirmatively allege that Gaston informed Mrs. Hall that he informed Mrs. Hall that he also intended to run for Mayor.

48. Deny.

49. Deny and affirmatively allege that Aston suggested the letter be brought to the attention of the City.

50. Deny and affirmatively allege that Gaston communicated to Aston that he was concerned about violating whistleblower laws were the letter to be disclosed..

51. Deny.

52. Deny for lack of information.

53. Deny that Gaston was planning to weaponize the accusation letter in any way or that he was planning on making it public, and affirmatively allege that Aston was the individual intending to share the letter. Deny the remaining allegations contained in Paragraph 53 for lack of information.

54. Deny for lack of information.

55. Deny for lack of information.

56. Deny for lack of information.

57. Deny for lack of information.

58. Admit that Pavlakis wrote the letter and delivered it, and affirmatively allege that the letter was written for the purpose of improving the employee culture within the City and was the result of various complaints Pavlakis had received about the conduct identified in the letter.

59. Deny for lack of information and affirmatively allege that it would be unusual and generally improper for an unelected official such as Mrs. Hall to attend the Conference at the expense of the City.

60. Deny and affirmatively allege that it was reported directly to Gaston that Mrs. Hall was actively promoting her campaign at the Conference, which was improper as she was sent to the Conference at the City's expense.

61. Deny.

62. Admit that Gaston requested an investigation into Mrs. Hall's efforts to campaign while being paid by the City. Deny the remaining allegations contained in Paragraph 62 of the Complaint.

63. Admit upon information and belief that an outside source was hired to investigate Mrs. Hall for her improper conduct. Deny the remaining allegations contained in Paragraph 63 for lack of information.

64. Deny.

65. Deny and affirmatively allege that the letters provided by Pavlakis and Robbins were provided before either of them knew Mrs. Hall intended to run for mayor and prior to the time frame that Mrs. Hall herself stated that she disclosed her intent to run for Mayor.

66. Deny.

67. Admit.

68. Deny.

69. Deny.

70. Admit that Gaston told Timothy he was out of line and pointed his finger at Timothy telling him to not question his integrity. Deny the remaining allegations contained in Paragraph 70 of the Counterclaim.

71. Deny for lack of information.

72. Admit upon information and belief.

73. Deny.

74. Deny.

75. Deny the allegations of Mr. Hall's feelings for lack of information. Deny the remaining allegations contained in Paragraph 75 of the Counterclaim.

76. Admit upon information and belief, and affirmatively allege that the email purported to be from a group of citizens in Bluffdale as opposed to a single individual. Deny to the extent Paragraph 76 alleges that Mr. Hall was the only individual involved in the actions described therein and affirmatively allege that all times Mr. Hall and the other parties involved concealed their identities.

77. Admit and affirmatively that the email caused Gaston significant concern and distress.

78. Admit upon information and belief and affirmatively allege that another letter was contained with the anger management coloring book containing threats, and affirmatively allege that the actions taken by Mr. Hall were not simply a "prank" or "practical joke". Deny Paragraph 78 of the Counterclaim to the extent it insinuates that only Mr. Hall was involved in the actions described therein and affirmatively allege that at all times Mr. Hall and the other parties involved concealed their identities.

79. Deny.

80. Admit upon information and belief and affirmatively allege that the email purported to be from a group of citizens as opposed to a single individual. Deny Paragraph 80 to the

extent it alleges that Mr. Hall was the only individual involved in the actions described therein and affirmatively allege that at all times Mr. Hall and other parties involved concealed their identities.

81. Admit.

82. Admit upon information and belief and affirmatively allege that the employee was a convicted felon and registered sex offender.

83. Admit.

84. Deny and affirmatively allege that Gaston was instructed by the police to gather the materials and bring them to the police station.

85. Admit that police took photographs of the items and returned them to the City and affirmatively allege that they were returned to the City at the demand of Mark Reid who then destroyed the items. Deny the remaining allegations contained in Paragraph 85 of the Counterclaim.

86. Deny for lack of information.

87. Admit upon information and belief and affirmatively allege that the email purportedly came from a group of citizens as opposed to a single individual. Deny Paragraph 87 to the extent it insinuates that Mr. Hall was the only individual involved in the actions described therein.

88. Admit upon information and belief and affirmatively allege that the email purported to be from a group of citizens as opposed to a single individual. Deny Paragraph 88 to the extent it insinuates that Mr. Hall was the only individual involved in the actions described

therein.

89. Deny that Robbins was involved in the entirety of the organization of the Old West Days celebration. Admit the remaining allegations set forth in Paragraph 89 of the Counterclaim.

90. Deny for lack of information and affirmatively allege that the Vendor Chairperson was in charge of booth assignments.

91. Deny and affirmatively allege that Gaston did not control the location of his booth as it was assigned by the Vendor Chairperson.

92. Deny.

93. Deny and affirmatively allege that Mrs. Hall had no reasonable expectation of anyone having a view of her sign facing east as there was another booth space located to her east.

94. Deny for lack of information.

95. Deny and affirmatively allege that Mr. Hall threw the signs at Gaston's face and upper body causing injury.

96. Admit that Gaston contacted Mark Reid and affirmatively allege that Reid immediately told Gaston to contact another City employee as Reid was not present and did not discuss the matter with Gaston in any detail. Deny that Gaston "seized the opportunity" as alleged in Paragraph 96 of the Counterclaim.

97. Admit.

98. Admit.

99. Admit.

100. Admit and affirmatively allege that Mr. Hall approached him after this conversation admitting to hitting Gaston with the signs and apologizing for the attack.

101. Admit.

102. Admit and affirmatively allege that Gaston moved his materials to avoid further confrontation.

103. Deny.

104. Deny.

105. Deny that Gaston supported Robbins or Rasmussen. Admit the remaining allegations contained in Paragraph 105 of the Counterclaim.

106. Admit upon information and belief and affirmatively allege that the return address was from an axe throwing society. Deny Paragraph 106 to the extent it insinuates that Mr. Hall was the only individual participating in the actions described therein.

107. Deny and affirmatively allege that Gaston simply informed the police of his receipt of the hat and note.

108. Deny and affirmatively allege that it was a postal inspector that connected Mr. Hall to the criminal conduct through Mr. Hall's employee, a convicted felon and registered sex offender.

109. Deny.

110. Admit and affirmatively allege that police requested that Gaston fill out the report as he had already turned over all relevant information to police previously.

111. Deny and affirmatively allege that the police were already in possession of the

evidence.

112. Admit and affirmatively allege that it had been turned over to police on the date it was received.

113. Admit and affirmatively allege that the contents of the letter speak for themselves.

114. Admit and affirmatively allege that the letter was placed on his seat on March 24, 2021.

115. Admit and affirmatively allege that the contents of the letter speak for themselves.

116. Deny for lack of information.

117. Deny.

118. Deny that Gaston attempted to bolster a case against Mr. Hall or that the case was manufactured. Admit that he told state investigators he received a third threat letter. Admit that he videoed himself at the direction of state investigators as he had "informed delivery" where he had seen a suspicious package that was being delivered to his home and affirmatively allege that state investigators instructed Gaston to wear gloves when opening the package.

119. Admit and affirmatively state that the contents of the letter speak for themselves.

120. Deny that the AG's office "fell victim to confirmation bias" and admit the remaining allegations contained in Paragraph 120 of the Counterclaim.

121. Admit that Robbins placed signs as described in Paragraph 121 of the Counterclaim and affirmatively allege that the signs were placed on private property and that Robbins did not violate any law in the placement of the signs. Deny the remaining

allegations contained in Paragraph 121 of the Counterclaim for lack of information.

122. Deny.

123. Admit and affirmatively allege that the prosecutor over the case at the time indicated that participation in a polygraph test was not worthwhile due to the frequent inaccurate results.

124. Admit.

125. Deny for lack of information and affirmatively allege that the "polygrapher" was a process server as well.

126. Deny for lack of information and affirmatively allege that Mr. Hall has never produced any purported polygraph reports.

127. Deny for lack of information.

128. Deny for lack of information and affirmatively allege that Mr. Hall had given away printers and/or destroyed printers and a laptop prior to any purported testing and that the Hall Defendants selected what printers were to be tested.

129. Deny for lack of information.

130. Deny for lack of information and affirmatively allege that any testing of printers was solely performed on the printers selected by the Hall Defendants.

131. Deny for lack of information.

132. Deny for lack of information.

133. Deny and affirmatively allege that the Hall Defendants selected which printers were to be tested.

134. Deny for lack of information.

135. Deny.

136. Deny for lack of information and affirmatively allege that the Hall Defendants selected which printers were to be tested.

137. Deny.

138. Admit.

139. Admit that there were differences between the letter and the note, and affirmatively allege that the unfolded paper with large letters was on the outside of the anger management book (the note), while the threat letter was folded up inside the book.

140. Paragraph 140 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

141. Admit.

142. Admit.

143. Deny.

144. Deny.

145. Deny.

146. Deny.

147. Admit that the various packages and envelopes contain handwriting.

148. Paragraph 148 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required deny, and affirmatively allege that any purported differences in the source of the handwriting supports Gaston's claim

of the involvement of multiple of the Hall Defendants.

149. Paragraph 149 of the Counterclaim is too vague as to "clear, fluid, and distinct" and to whom that opinion belongs, to permit a response. In addition, Paragraph 149 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

150. Paragraph 149 of the Counterclaim is too vague as to "mistakes and shaky handwriting" and to whom that opinion belongs, to permit a response. In addition, Paragraph 150 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

151. Paragraph 151 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

152. Paragraph 152 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

153. Paragraph 153 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

154. Paragraph 154 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny for lack of information.

155. Paragraph 155 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny for lack of information.

156. Paragraph 156 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

157. Deny.

158. Paragraph 158 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

159. Paragraph 159 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

160. Paragraph 160 of the Counterclaim contains legal conclusions to which no response is required. To the extent a response is required, deny.

161. Deny.

162. Deny.

163. Admit that Gaston received a letter approximately two weeks after his receipt of "Note No. 1". Deny the remaining allegations contained in Paragraph 163 of the Counterclaim.

164. Admit that Gaston waited to open the letter for a period of time after the meeting started, and affirmatively allege it was not unusual for him to wait to open mail.

165. Admit upon information and belief that Gaston opened the envelope while Timothy was speaking and that he picked it up with his hands and cut it open. Paragraph 165 is too vague to permit a response as to "up high". To the extent a response is required, deny.

166. Deny.

167. Deny.

168. Admit that the envelope could have been opened anywhere. Deny the remaining

allegations contained in Paragraph 168 of the Counterclaim.

169. Admit that Gaston read the letter. Deny the remaining allegations contained in Paragraph 169 of the Counterclaim.

170. Admit and affirmatively allege that Wendy Aston told Gaston that he needed to take the letter to the police. Deny the allegations contained in Paragraph 170 of the Counterclaim to the extent it indicates that Gaston was "suddenly afraid".

171. Deny and affirmatively allege that Gaston reported the letter to the police the night it was received.

172. Admit.

173. Admit that Gaston was filmed at the request of the attorney general's office. Affirmatively allege that Gaston had seen the package before it was placed in his mailbox through his informed delivery service and that Gaston was instructed by the attorney general's office to film his receipt and opening of any suspicious package or letter. Admit that Gaston then returned into his home. Deny the remaining allegations contained in Paragraph 173 of the Counterclaim.

174. Deny.

175. Deny.

176. Admit.

177. Deny.

178. Admit that Gaston sat at City Council meetings near Mrs. Hall and affirmatively allege that Gaston carried a concealed weapon during that time period due to the fear for

his life. Affirmatively allege that in July 2021, Gaston was unaware of the source of the gag gifts, notes, and/or death threats.

179. Admit that Gaston requested that he be accompanied by a police escort (whichever officer was on duty) once he learned that the Hall Defendants were involved with the packages and death threats. Deny the remaining allegations contained in Paragraph 179 of the Counterclaim.

180. Paragraph 180 contains a legal conclusion to which no response is required. To the extent a response is required, deny.

181. Deny.

182. Admit, and affirmatively allege that Gaston could not declare candidacy until August of that year, and affirmatively allege that Gaston attended fundraisers for the purpose of financing his campaign.

183. Deny.

184. Deny and affirmatively allege that Gaston believed a group of individuals was threatening his life due to the receipt of communications from purported political action committees.

185. Deny.

186. Deny.

187. Admit and affirmatively allege that it had been previously reported to police on the date the incident occurred.

188. Paragraph 188 of the Counterclaim contains a legal conclusion to which no

response is required. To the extent a response is required, deny.

189. Deny that there were hundreds of people present or that it occurred in Gaston's booth. Admit the remaining allegations contained in Paragraph 189 of the Counterclaim.

190. Admit and affirmatively allege that the signs were large signs that struck Gaston in both the hands and face.

191. Deny.

192. Deny for lack of information.

193. Deny.

194. Paragraph 194 of the Counterclaim contains a legal conclusion to which no response is required. To the extent a response is required, deny.

195. Admit that no mention of assault was made. Deny the remaining allegations contained in Paragraph 195 of the Counterclaim and affirmatively allege that Mr. Hall approached Gaston apologizing for hitting him with the signs.

196. Deny for lack of information and affirmatively state the contents of the video speak for themselves.

197. Deny for lack of information.

198. Deny for lack of information.

199. Admit.

200. Deny.

201. Deny for lack of information.

202. Deny for lack of information and affirmatively allege that the location of the

battery was not within eyesight of Traci Crockett's booth.

203. Deny the allegations contained in Paragraph 203 related to the purported intentions of Gaston. Deny the remaining allegations in Paragraph 203 for lack of information.

204. Deny for lack of information and affirmatively allege that the Crockett's booth was not within eyesight of the location where Mr. Hall attacked Gaston.

205. Deny.

206. Deny for lack of information.

207. Deny the allegations contained in Paragraph 207 of the Counterclaim to the extent they indicate that no attack took place, or that Ms. Strong could see the confrontation. Deny the remaining allegations contained in Paragraph 207 of the Counterclaim for lack of information.

208. Deny.

209. Deny.

210. Deny for lack of information.

211. Deny for lack of information.

212. Deny for lack of information.

213. Deny for lack of information.

214. Deny for lack of information.

215. Deny for lack of information and affirmatively allege that Counterclaim Defendants have never seen any statement provided by Mr. Bertoch to the police.

216. Admit that Mr. Bertoch has volunteered for Pavlakis. Deny the remaining allegations contained in Paragraph 216 of the Counterclaim for lack of information.

217. Deny for lack of information.

218. Deny and affirmatively allege that the contents of the video speak for themselves.

219. Deny for lack of information and affirmatively allege that Counterclaim Defendants have never seen any 1102 Statement from Mortimer.

220. Deny that Counterclaim Defendants were friends with Mortimer at the time of Mr. Hall's assault and battery of Gaston. Deny to the extent Paragraph 220 insinuates that no physical confrontation occurred wherein Mr. Hall attacked Gaston. Deny the remaining allegations contained in Paragraph 220 of the Counterclaim for lack of information.

221. Deny for lack of information and affirmatively allege that Counterclaim Defendants have never seen an 1102 Statement from Mortimer.

222. Deny that any video evidence refutes that Mr. Hall physical attacked Gaston. Deny the remaining allegations contained in Paragraph 222 of the Counterclaim for lack of information.

223. Deny.

224. Deny and affirmatively allege that the Vendor Chairperson for the event was in charge of the booth assignments, a fact already known to the Hall Defendants.

225. Admit.

226. Admit.

227. Deny and affirmatively allege that Mrs. Hall was not Mayor of Bluffdale.

228. Deny and affirmatively allege that Gaston does not have the authority to cause for criminal charges to be filed against Mr. Hall, and that any such decision to pursue Mr. Hall for his criminal conduct was made by the attorney general's office.

229. Deny.

230. Deny that the Counterclaim Defendants "coordinated protests". Admit that Robbins and her husband put up signs across from City Hall on approximately two occasions. Deny the remaining allegations contained in Paragraph 230 of the Counterclaim.

231. Deny.

232. Deny and affirmatively allege that numerous citizens requested Mrs. Hall's resignation of their own volition due to Mr. Hall's criminal conduct and Mrs. Hall's purported complicity in same, including through their use of a convicted felon to deliver threatening materials to Gaston.

233. Deny.

234. Deny and affirmatively allege that Mrs. Hall was subject to claims as a result of her own conduct.

235. Deny.

FIRST CLAIM FOR RELIEF
(Intentional Infliction of Emotional Distress – All Defendants)

236. Counterclaim Defendants incorporate their responses to Paragraphs 236 of the

Counterclaim as though fully set forth herein.

237. Deny.

238. Deny.

239. Deny.

240. Deny.

241. Deny.

242. Deny.

243. Deny.

244. Deny.

245. Deny.

246. Deny.

247. Deny.

SECOND CLAIM FOR RELIEF
(Negligent Infliction of Emotional Distress – Against All Defendants)

248. Counterclaim Defendants incorporate their responses to Paragraphs 1 through 247 of the Counterclaim as though fully set forth herein.

249. Deny.

250. Deny.

251. Deny.

252. Deny.

253. Deny.

254. Deny.

THIRD CLAIM FOR RELIEF
(Defamation – Against All Defendants)

255. Counterclaim Defendants incorporate by reference their responses to Paragraphs 1 through 254 of the Counterclaim as though fully set forth herein.

256. Deny.

257. Deny.

258. Deny.

259. Deny.

260. Deny.

261. Deny.

262. Deny.

263. Deny.

264. Deny.

265. Deny.

266. Deny.

267. Deny.

268. Deny.

269. Deny.

270. Deny.

FOURTH CLAIM FOR RELIEF
(Abuse of Process – Against Mr. Gaston)

271. Counterclaim Defendants incorporate by reference their responses to Paragraphs 1 through 270 of the Counterclaim as though fully set forth herein.

272. Deny.

273. Deny.

274. Deny.

275. Deny.

276. Deny.

277. Deny.

278. Deny.

FIFTH CLAIM FOR RELIEF
(Conspiracy – Against All Defendants)

279. Counterclaim Defendants incorporate by reference their responses to Paragraphs 1 through 278 of the Counterclaim as though fully set forth herein.

280. Deny.

281. Deny.

282. Deny.

283. Deny.

284. Deny.

285. Deny.

FIRST AFFIRMATIVE DEFENSE

The Counterclaim and Third-Party Complaints fail to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

The Hall Defendants' claims are barred by the doctrines of waiver, laches and estoppel.

THIRD AFFIRMATIVE DEFENSE

The Hall Defendants' have failed to mitigate their damages, if any.

FOURTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims for damages are barred as The Hall Defendants have not suffered any damages.

FIFTH AFFIRMATIVE DEFENSE

The Hall Defendants claims are barred to the extent Counterclaim Defendants' conduct was not outrageous or intolerable.

SIXTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims are barred to the extent their purported injuries, if any, were not a foreseeable result of Counterclaim Defendants' conduct.

SEVENTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims for negligent infliction of emotional distress are barred to the extent the Hall Defendants' have suffered no illness or bodily harm.

EIGHTH AFFIRMATIVE DEFENSE

The Hall Defendants' claim for abuse of process fails to the extent Gaston facilitated the Attorney General's investigation into Mr. Hall as it was the intended use of that process.

NINTH AFFIRMATIVE DEFENSE

The Hall Defendants' claim for abuse of process fails to the extent Mr. Hall obtained a stay of the civil matter during the pendency of his criminal proceedings, thereby avoiding any purported difficulty caused to his defense.

TENTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims are barred due to their own unclean hands.

ELEVENTH AFFIRMATIVE DEFENSE

The Hall Defendants' claim for defamation is barred to the extent the statements described therein are true.

TWELFTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims against Pavlakis are barred to the extent the claims asserted in their Third-Party Complaint are subject to the administrative process requirements under the Utah Governmental Immunity Act as the Hall Defendants have failed to comply with the statutory limitation periods set forth therein.

THIRTEENTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims are barred to the extent that they incurred no damage as a result of the Counterclaim Defendants' purported conduct.

FOURTEENTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims are barred to the extent the purported conduct that forms the basis for their causes of action was lawful.

FIFTEENTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims for abuse of process fail to the extent the judicial process involved in the pursuit of Gaston's claims for damages was used for its intended purpose.

SIXTEENTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims are barred to the extent the statements made related to Mrs. Hall were not made with actual malice or were the subject of opinion, or to the extent that the statements enjoy qualified privilege.

SEVENTEENTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims are barred to the extent the statements made by the Counterclaim Defendants' or any one of them, were an exercise of their right of freedom of speech on a matter of public concern.

EIGHTEENTH AFFIRMATIVE DEFENSE

The Hall Defendants' claims are barred to the extent their damages were caused by third parties over whom Counterclaim Defendants had no control or right of control.

NINETEETH AFFIRMATIVE DEFENSE

The Hall Defendants' claims are barred to the extent their damages, if any, were caused by their own misconduct.

TWENTIETH AFFIRMATIVE DEFENSE

Any allegations not otherwise admitted herein are denied.

PRAYER FOR RELIEF

WHEREFORE, Counterclaim Defendants request judgment in their favor on all causes of action asserted in the Counterclaim and that the Hall Defendants take nothing therefrom, and for an award to Counterclaim Defendants of their attorneys' fees and costs incurred in this action to the extent permitted by law, including to the extent The Hall Defendants' claims were brought and maintained in bad faith, and for such other relief as this Court deems just and proper.

Dated this 22nd day of July, 2026.

SCALLEY, READING, BATES, HANSEN & RASMUSSEN

By /s/ Scott L Sackett II
Scott L. Sackett II
Attorneys for Plaintiff Jeffrey D. Gaston And Third-Party Defendants Connie Pavlakis and Connie Robbins

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served a true and correct copy of the foregoing was delivered via e-filing on 22nd of July, 2026, on the following parties of record:

Trinity Jordan
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