

1 Deron A. Karton (SB#155925)  
2 Law Offices of Deron A. Karton  
3 3 Sir Francis Drake Boulevard  
4 P.O. Box 1403  
5 Ross, CA 94957  
6 Telephone: (415) 786-7737  
7 Facsimile: (415) 453-3485

8 Deron A. Karton,  
9 Respondent in Pro Per

**FILED**

JAN 15 2015

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

STATE BAR COURT

HEARING DEPARTMENT – SAN FRANCISCO

11 In the Matter of:

Case No.: 14-O-02715

12 DERON ADAM KARTOON  
13 No. 155925,

GENERAL DENIAL  
AFFIRMATIVE DEFENSES

14 A Member of The State Bar  
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19 COMES NOW State Bar Member, Deron A. Karton in answering the allegations to the Notice of  
20 Disciplinary Charges on file herein (the "Notice"), affirms, denies, and alleges as follows:

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22 Respondent Deron A. Karton (sometimes "Respondent") generally denies each and every  
23 allegation of The State Bar's Notice.

24 Answering the allegations of Counts 1-2, (Paragraphs 1-3), Respondent denies each and  
25 every allegation contained in said Paragraphs.

26 Finally, in Answering the Notice, Respondent, Deron A. Karton objects to each cause of  
27 action stated therein, as it fails to establish a cause of action against this Respondent.

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**AFFIRMATIVE DEFENSES**

**FIRST AFFIRMATIVE DEFENSE  
(Failure to State a Cause of Action)**

This answering Respondent alleges that the Notice and each and every Count therein fails to state a Cause of Action.

**SECOND AFFIRMATIVE DEFENSE  
(Offset)**

This answering Respondent alleges that he has suffered damage by reason of The State Bar's conduct; that he has have the right of offset if any amount of money is owed to The State Bar by way of damages.

**THIRD AFFIRMATIVE DEFENSE  
(Waiver)**

This answering Respondent is informed and believe and on such information and belief alleges, that The State Bar engaged in conduct that constitutes a waiver of their rights under the conduct alleged in the Notice. By reason of said waiver, this Respondent is excused from further performance of the obligations under the alleged contract.

**FOURTH AFFIRMATIVE DEFENSE  
(Release)**

This answering Respondent alleges that The State Bar 's actions constituted a full release and waiver by The State Bar of any and all claims that The State Bar may have against this Respondent.

**FIFTH AFFIRMATIVE DEFENSE  
(In Pari Delicto)**

This answering Respondent alleges that The State Bar herein and each and every purported Cause of Action in the Notice is barred because The State Bar has engaged in acts and courses of conduct that rendered them in pari delicto.



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**ELEVENTH AFFIRMATIVE DEFENSE  
(Apportionment)**

This answering Respondent is informed and believes and thereon alleges that the matters complained of in the Notice were proximately caused, in whole or in part, by the acts or omissions of a third party or parties or the Court. Accordingly, the liability of Respondent Deron A. Karton and any other responsible parties, named or unnamed, should be apportioned according to their respective degrees of fault or other legal responsibility, and the liability, if any, of this answering Respondent should be reduced accordingly.

**TWELFTH AFFIRMATIVE DEFENSE  
(Modification)**

This answering Respondent is informed and believes and thereon alleges that the dates and times to appear in question, if any, was modified by the parties, and now the court is barred from claiming Respondent didn't appear, by reason of said modification.

**THIRTEENTH AFFIRMATIVE DEFENSE  
(Substituted Contract)**

This answering Respondent is informed and believes and thereon alleges that a new contract was substituted in place of the original contract, if any, and that the court is barred from saying it otherwise.

**FOURTEENTH AFFIRMATIVE DEFENSE  
(Mutual Mistake)**

This answering Respondent is informed and believes and thereon alleges that if there presently exists or ever existed, any or all of the alleged rights, claims or obligations which the court seeks by way of his Notice, said claims or obligations are unenforceable by reason of mutual mistake.

**FIFTEENTH AFFIRMATIVE DEFENSE  
(Agreement is Not Fully Integrated)**

This answering Respondent is informed and believes and thereon alleges that if there presently exists or ever existed, any or all of the alleged rights, claims or obligations which the court seeks by way of his Notice, said claims or obligations are unenforceable because any mutual agreement is not fully integrated.

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**SIXTEENTH AFFIRMATIVE DEFENSE  
(Assumption of the Risk)**

This answering Respondent is informed and believes and thereon alleges that if there presently exists or ever existed, any or all of the alleged rights, claims or obligations which the court imposed by way of their Notice, said claims or obligations are unenforceable because Respondent and/or the client assumed the risk involved in the rescheduled court date.

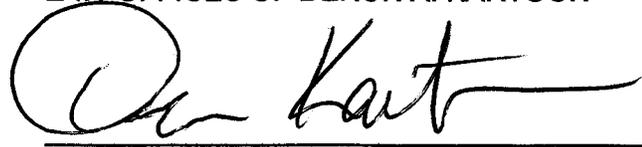
**SEVENTEENTH AFFIRMATIVE DEFENSE  
(Statute of Limitations)**

This answering Respondent is informed and believes and thereon alleges that if there presently exists or ever existed, any or all of the alleged rights, claims or obligations which the Court seeks by way of his Notice, each and every cause of action is barred by the applicable sections of the California Code of Civil Procedure.

WHEREFORE, Respondent Deron A. Kartoon prays that The State Bar, takes nothing by such Notice and that Respondent Deron A. Kartoon receive a judgment against The State Bar to recover costs of suit herein incurred, and such other relief as the court may deem proper.

LAW OFFICES OF DERON A. KARTOON

DATED: 1/15/15

  
\_\_\_\_\_  
Deron A. Kartoon, Respondent in Pro Per

**PROOF OF SERVICE BY PERSONAL DELIVERY<sup>1</sup>**

In the Matter of Deon A. KARTON

State Bar Court Case No. 74-0-02715

I, the undersigned, hereby declare as follows:

1. I am over the age of 18 years;  
2. My business/residence address is: 3 Sir FRANCIS Drake  
Rose, CA 94957;

3. On 1/15, 2015, I personally served a true copy of the attached  
General Denial / Affirmative Defenses

(state exact name of served document(s)) in the above-captioned action upon \_\_\_\_\_  
Heather Anders by (check applicable option) :

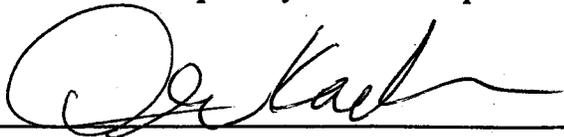
(1) personally delivering a copy of said document(s) to the above-named person;

(2) personally leaving said document(s) in a envelope or package clearly labeled to identify the attorney being served with a receptionist or other person having charge of the office of the above-named attorney (use only in the case of service upon an attorney)

4. The location/address at which the aforesaid service occurred was: 180  
Howard, 6th Flr, SF, CA 94104;

5. This declaration was executed on 1/15, 2015 at  
SF, California;

6. The foregoing is true and correct and I so state under penalty of the laws pertaining to perjury in the State of California.

  
Print name: Deon A. Karton

<sup>1</sup>Use only for personal service or for service on an attorney pursuant to Code of Civil Procedure section 1011 (a).