

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:25-cv-01981-NYW-STV

DEANNA GOHN,

Plaintiff,

v.

**MESA COUNTY, COLORADO, and
TODD STARR**

Defendants.

DEFENDANTS' ANSWER TO COMPLAINT AND JURY DEMAND

Defendants Mesa County, Colorado and Todd Starr, by and through their attorneys, answer Plaintiff's Complaint and Jury Demand ("the Complaint") as follows:

I. INTRODUCTION

1. Defendants state that the allegations contained in Paragraph 1 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants acknowledge that Ms. Gohn's First Claim for Relief is identified by Ms. Gohn in her Complaints as a Violation of Age Discrimination in Employment Act (Age Discrimination), that her Second Claim for Relief is identified as a Violation of the Colorado Anti-Discrimination Act (Age Discrimination), that her Third Claim for Relief is identified as a Violation of Title VII of the Civil Rights Act of 1964 (Sex-Plus-Age Discrimination), and that her Fourth Claim for Relief is identified as a

Violation of the Colorado Anti-Discrimination Act (Sex-Plus-Age Discrimination). Defendants deny all remaining allegations set forth in Paragraph 1 of the Complaint.

2. Defendants state that the allegations contained in Paragraph 2 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants deny the allegations in Paragraph 2 of the Complaint.

3. Defendants state that the allegations contained in Paragraph 3 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 3 of the Complaint. Accordingly, Defendants deny the allegations set forth in Paragraph 3 of the Complaint.

4. Defendants state that the allegations contained in Paragraph 4 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 4 of the Complaint. Accordingly, Defendants deny the allegations set forth in Paragraph 4 of the Complaint.

5. Defendants state that the allegations contained in Paragraph 5 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants deny the allegations in Paragraph 5 of the Complaint.

6. Defendants state that the allegations contained in Paragraph 6 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants deny the allegations in Paragraph 6 of the Complaint.

7. Defendants state that the allegations contained in Paragraph 7 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants deny the allegations in Paragraph 7 of the Complaint.

8. Defendants state that the allegations contained in Paragraph 8 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants deny the allegations in Paragraph 8 of the Complaint.

9. Defendants state that the allegations contained in Paragraph 9 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants admitted that Defendant Mesa County Attorney Todd Starr was Ms. Gohn's supervisor. Defendants otherwise deny all allegations in Paragraph 9 of the Complaint.

10. Defendants state that the allegations contained in Paragraph 10 of the Complaint are either introductory remarks regarding the nature of the Complaint or are legal conclusions that need not be admitted or denied. To the extent a response is required, Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 10 of the Complaint. Accordingly, Defendants deny the allegations set forth in Paragraph 10 of the Complaint.

II. JURISDICTION AND VENUE

11. Defendants state that the allegations in Paragraph 11 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants admit the allegations set forth in Paragraph 11 of the Complaint that this Court has jurisdiction over the claims identified in Ms. Gohn's Complaint.

12. Defendants state that the allegations in Paragraph 12 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants admit the allegations set forth in Paragraph 12 of the Complaint that venue is proper in this court. Defendants otherwise deny all allegations in Paragraph 12 of the Complaint.

13. Defendants state that the allegations in Paragraph 13 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants admit that Ms. Gohn filed claims under the Age Discrimination in Employment Act, Title VII of the Civil Rights Act of 1964, and the Colorado Anti-Discrimination Act. Defendants otherwise deny all allegations in Paragraph 13 of the Complaint.

III. ADMINISTRATIVE PREREQUISITES

14. Defendants state that the allegations in Paragraph 14 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 14 of the Complaint. Accordingly, Defendants deny the allegations in Paragraph 14 of the Complaint.

15. Defendants state that the allegations in Paragraph 15 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations in Paragraph 15 of the Complaint.

16. Defendants state that the allegations in Paragraph 16 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations in Paragraph 16 of the Complaint.

IV. PARTIES

17. In response to Paragraph 17 of the Complaint, Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 17 of the Complaint. Further, whether Ms. Gohn is “a member of a class protected based on her age under the ADEA and the CADA” are legal conclusions that need not be admitted or denied. To the extent that a response is required, Defendants admit that Ms. Gohn is protected by those two laws based on her age. Defendants otherwise deny all remaining allegations in Paragraph 17 except those specifically admitted in this Answer to Paragraph 17.

18. Defendants state that the allegations in Paragraph 18 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants admit the allegations in Paragraph 18 of the Complaint.

19. In response to Paragraph 19 of the Complaint, Defendants admit that Defendant Todd Starr was Ms. Gohn’s direct supervisor and was the Mesa County attorney during part of Ms. Gohn’s employment. Defendants deny all remaining allegations in Paragraph 19 of the Complaint.

V. FACTUAL ALLEGATIONS

Title to Section V.A. It is unclear in the Complaint if the Title to Section V.A. (i.e., “Ms. Gohn’s long and successful career with Mesa County Attorney’s Office”) is intended by Plaintiff as a statement of fact. Under the assumption that it is, Defendants deny the statement of fact in the Title to Section V.A.

20. Defendants deny the allegation in Paragraph 20 of the Complaint.

21. In response to Paragraph 21 of the Complaint, Defendants admit that Ms. Gohn began her career with Mesa County before her most recent employment with Mesa County. With respect to the remaining allegations in Paragraph 21, Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 21 of the Complaint and, accordingly, deny those allegations.

22. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 22 of the Complaint and, accordingly, deny those allegations.

23. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 23 of the Complaint and, accordingly, deny those allegations.

24. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 24 of the Complaint and, accordingly, deny those allegations.

25. Defendants deny the allegations in Paragraph 25 of the Complaint.

26. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 26 of the Complaint and, accordingly, deny those allegations.

27. Defendants deny the allegations in Paragraph 27 of the Complaint.

28. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 28 of the Complaint and, accordingly, deny those allegations.

29. Defendants deny the allegations in Paragraph 29 of the Complaint.

30. In response to the allegations in Paragraph 30 of the Complaint, Defendants state that the allegations in the review speak for themselves. Defendants deny all remaining allegations in Paragraph 30 of the Complaint.

31. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 31 of the Complaint and, accordingly, deny those allegations.

32. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 32 of the Complaint and, accordingly, deny those allegations.

33. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 33 of the Complaint and, accordingly, deny those allegations.

34. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 34 of the Complaint and, accordingly, deny those allegations.

35. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 35 of the Complaint and, accordingly, deny those allegations.

36. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 36 of the Complaint and, accordingly, deny those allegations.

37. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 37 of the Complaint and, accordingly, deny those allegations.

38. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 38 of the Complaint and, accordingly, deny those allegations.

39. Defendants deny the allegations in Paragraph 39 of the Complaint.

40. Defendants deny the allegations in Paragraph 40 of the Complaint.

Title to Section V.B. It is unclear in the Complaint if the Title to Section V.B. (i.e., “The Mesa County Attorney’s Office routinely engaged in performance management before potentially firing employees for performance reasons. But Defendants failed to do that for Ms. Gohn wholly or in part because of her age and/or sex.”) is intended by Plaintiff as a statement of fact. Under the assumption that it is, Defendants deny the statement of fact in the Title to Section V.B.

41. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 41 of the Complaint and, accordingly, deny those allegations.

42. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 42 of the Complaint and, accordingly, deny those allegations.

43. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 43 of the Complaint and, accordingly, deny those allegations.

44. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 44 of the Complaint and, accordingly, deny those allegations.

45. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 45 of the Complaint and, accordingly, deny those allegations.

46. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 46 of the Complaint and, accordingly, deny those allegations.

47. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 47 of the Complaint and, accordingly, deny those allegations.

48. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 48 of the Complaint and, accordingly, deny those allegations.

49. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 49 of the Complaint and, accordingly, deny those allegations.

50. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 50 of the Complaint and, accordingly, deny those allegations.

51. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 51 of the Complaint and, accordingly, deny those allegations.

52. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 52 of the Complaint and, accordingly, deny those allegations.

53. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 53 of the Complaint and, accordingly, deny those allegations.

54. Defendants deny the allegations in Paragraph 54 of the Complaint.

55. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 55 of the Complaint and, accordingly, deny those allegations.

56. Defendants deny the allegations in Paragraph 56 of the Complaint.

57. Defendants deny the allegations in Paragraph 57 of the Complaint.

Title to Section V.C. It is unclear in the Complaint if the Title to Section V.C. (i.e., “Defendants subjected Ms. Gohn to less favorable terms and conditions of employment compared to her similarly situated younger and/or male colleagues.”) is intended by Plaintiff as a statement of fact. Under the assumption that it is, Defendants deny the statement of fact in the Title to Section V.C.

58. Defendants deny the allegations in Paragraph 58 of the Complaint.

59. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 59 of the Complaint and, accordingly, deny those allegations.

60. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 60 of the Complaint and, accordingly, deny those allegations.

61. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 61 of the Complaint and, accordingly, deny those allegations.

62. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 62 of the Complaint and, accordingly, deny those allegations.

63. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 63 of the Complaint and, accordingly, deny those allegations.

64. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 64 of the Complaint and, accordingly, deny those allegations.

65. In response to Paragraph 65 of the Complaint, Defendants admit that Ms. Witt is younger than Ms. Gohn. Defendants deny the remaining allegations in Paragraph 65 of the Complaint.

66. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 66 of the Complaint and, accordingly, deny those allegations.

67. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 67 of the Complaint and, accordingly, deny those allegations.

68. In response to Paragraph 68 of the Complaint, Defendants admit that Ms. Morisseau is younger than Ms. Gohn. Defendants deny the remaining allegations in Paragraph 68 of the Complaint.

69. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 69 of the Complaint and, accordingly, deny those allegations.

70. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 70 of the Complaint and, accordingly, deny those allegations.

71. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 71 of the Complaint and, accordingly, deny those allegations.

72. Defendants deny the allegations in Paragraph 72 of the Complaint.

73. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 73 of the Complaint and, accordingly, deny those allegations.

74. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 74 of the Complaint and, accordingly, deny those allegations.

75. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 75 of the Complaint and, accordingly, deny those allegations.

Title to Section V.D. It is unclear in the Complaint if the Title to Section V.D. (i.e., “Defendants’ alleged reasons for terminating Ms. Gohn do not withstand scrutiny and instead are pretext for illegal discrimination.”) is intended by Plaintiff as a statement of fact. Under the assumption that it is, Defendants deny the statement of fact in the Title to Section V.D.

76. Defendants admit that a written notice was provided to Ms. Gohn. Defendants deny all remaining allegations in Paragraph 76 of the Complaint.

77. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 77 of the Complaint and, accordingly, deny those allegations.

78. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 78 of the Complaint and, accordingly, deny those allegations.

79. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 79 of the Complaint and, accordingly, deny those allegations.

80. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 80 of the Complaint and, accordingly, deny those allegations.

81. Defendants deny the allegations in Paragraph 81 of the Complaint.

82. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 82 of the Complaint and, accordingly, deny those allegations.

83. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 83 of the Complaint and, accordingly, deny those allegations.

84. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 84 of the Complaint and, accordingly, deny those allegations.

85. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 85 of the Complaint and, accordingly, deny those allegations.

86. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 86 of the Complaint and, accordingly, deny those allegations.

87. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 87 of the Complaint and, accordingly, deny those allegations.

88. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 88 of the Complaint and, accordingly, deny those allegations.

89. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 89 of the Complaint and, accordingly, deny those allegations.

90. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 90 of the Complaint and, accordingly, deny those allegations.

91. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 91 of the Complaint and, accordingly, deny those allegations.

92. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 92 of the Complaint and, accordingly, deny those allegations.

93. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 93 of the Complaint and, accordingly, deny those allegations.

94. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 94 of the Complaint and, accordingly, deny those allegations.

95. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 95 of the Complaint and, accordingly, deny those allegations.

96. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 96 of the Complaint and, accordingly, deny those allegations.

97. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 97 of the Complaint and, accordingly, deny those allegations.

98. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 98 of the Complaint and, accordingly, deny those allegations.

99. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 99 of the Complaint and, accordingly, deny those allegations.

100. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 100 of the Complaint and, accordingly, deny those allegations.

101. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 101 of the Complaint and, accordingly, deny those allegations.

102. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 102 of the Complaint and, accordingly, deny those allegations.

103. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 103 of the Complaint and, accordingly, deny those allegations.

104. Defendants admit that there was a vacant attorney position. Defendants deny all remaining allegations in Paragraph 104 of the Complaint.

105. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 105 of the Complaint and, accordingly, deny those allegations.

106. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 106 of the Complaint and, accordingly, deny those allegations.

107. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 107 of the Complaint and, accordingly, deny those allegations.

108. Defendants deny the allegations in Paragraph 108 of the Complaint.

109. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 109 of the Complaint and, accordingly, deny those allegations.

110. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 110 of the Complaint and, accordingly, deny those allegations.

111. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 111 of the Complaint and, accordingly, deny those allegations.

112. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 112 of the Complaint and, accordingly, deny those allegations.

113. Defendants deny the allegations in Paragraph 113 of the Complaint.

Title to Section V.E. It is unclear in the Complaint if the Title to Section V.E. (i.e., “Defendants leave Ms. Gohn with no reasonable alternative to resigning. A reasonable person in Ms. Gohn’s position would have felt forced to quit under the objectively intolerable circumstances Defendants presented.”) is intended by Plaintiff as a statement of fact. Under the assumption that it is, Defendants deny the statement of fact in the Title to Section V.E.

114. Defendants deny the allegations in Paragraph 114 of the Complaint.

115. Defendants deny the allegations in Paragraph 115 of the Complaint.

116. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 116 of the Complaint and, accordingly, deny those allegations.

117. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 117 of the Complaint and, accordingly, deny those allegations.

118. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 118 of the Complaint and, accordingly, deny those allegations.

119. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 119 of the Complaint and, accordingly, deny those allegations.

120. Defendants state that the allegations in Paragraph 120 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations in Paragraph 120 of the Complaint.

121. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 121 of the Complaint and, accordingly, deny those allegations.

122. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 122 of the Complaint and, accordingly, deny those allegations.

123. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 123 of the Complaint and, accordingly, deny those allegations.

124. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 124 of the Complaint and, accordingly, deny those allegations.

125. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 125 of the Complaint and, accordingly, deny those allegations.

126. Defendants deny the allegations in Paragraph 126 of the Complaint.

127. Defendants state that the allegations in Paragraph 127 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations in Paragraph 127 of the Complaint.

128. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 128 of the Complaint and, accordingly, deny those allegations.

129. In response to Paragraph 129 of the Complaint, Defendants admit Ms. Gohn submitted her notice of resignation on December 1, 2023. Defendants deny all remaining allegations in Paragraph 129 of the Complaint.

130. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 130 of the Complaint and, accordingly, deny those allegations.

131. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 131 of the Complaint and, accordingly, deny those allegations.

132. Defendants deny the allegations in Paragraph 132 of the Complaint.

133. Defendants deny the allegations in Paragraph 133 of the Complaint.

134. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 134 of the Complaint and, accordingly, deny those allegations.

135. Defendants state that they are without sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 135 of the Complaint and, accordingly, deny those allegations.

136. Defendants deny the allegations in Paragraph 136 of the Complaint.

VI. STATEMENT OF CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF (Violation of Age Discrimination in Employment Act (“ADEA”), as amended, 29 U.S.C. § 621, *et seq.*) Age Discrimination Against Defendant Mesa County

137. Defendants incorporate herein by reference its answers to each and every allegation in Paragraphs numbered 1 through 136 of the Complaint above, as if said answers were set forth more fully herein as its answer to the allegations contained in Paragraph numbered 137 of the Complaint.

138. Defendants state that the allegations in Paragraph 138 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 138 of the Complaint.

139. Defendants deny the allegations in Paragraph 139 of the Complaint.

140. Defendants deny the allegations in Paragraph 140 of the Complaint.

141. Defendants deny the allegations in Paragraph 141 of the Complaint.

142. Defendants state that the allegations in Paragraph 142 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 142 of the Complaint.

143. Defendants state that the allegations in Paragraph 143 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 143 of the Complaint.

144. Defendants state that the allegations in Paragraph 144 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 144 of the Complaint.

145. Defendants deny the allegations in Paragraph 145 of the Complaint.

146. Defendants state that the allegations in Paragraph 146 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 146 of the Complaint.

147. Defendants state that the allegations in Paragraph 147 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 147 of the Complaint.

148. Defendants state that the allegations in Paragraph 148 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 148 of the Complaint.

SECOND CLAIM FOR RELIEF
(Violation of Colorado Anti-Discrimination Act (“CADA”),
as amended, C.R.S. § 24-34-402, *et seq.*)
Age Discrimination
Against Defendant Mesa County

149. Defendants incorporate herein by reference its answers to each and every allegation in Paragraphs numbered 1 through 148 of the Complaint above, as if said answers were set forth more fully herein as its answer to the allegations contained in Paragraph numbered 149 of the Complaint.

150. Defendants state that the allegations in Paragraph 150 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 150 of the Complaint.

151. Defendants deny the allegations in Paragraph 151 of the Complaint.

152. Defendants deny the allegations in Paragraph 152 of the Complaint.

153. Defendants deny the allegations in Paragraph 153 of the Complaint.

154. Defendants state that the allegations in Paragraph 154 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 154 of the Complaint.

155. Defendants state that the allegations in Paragraph 155 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 155 of the Complaint.

156. Defendants state that the allegations in Paragraph 156 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 156 of the Complaint.

157. Defendants deny the allegations in Paragraph 157 of the Complaint.

158. Defendants state that the allegations in Paragraph 158 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 158 of the Complaint.

159. Defendants state that the allegations in Paragraph 159 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 159 of the Complaint.

160. Defendants state that the allegations in Paragraph 160 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 160 of the Complaint.

161. Defendants state that the allegations in Paragraph 161 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 161 of the Complaint.

THIRD CLAIM FOR RELIEF
(Violation of Title VII of the Civil Rights Act of 1946, (“Title VII”),
as amended, 42 U.S.C. § 2000e-2, *et seq.*)
Sex-Plus-Age Discrimination
Against Defendant Mesa County

162. Defendants incorporate herein by reference its answers to each and every allegation in Paragraphs numbered 1 through 161 of the Complaint above, as if said answers were set forth more fully herein as its answer to the allegations contained in Paragraph numbered 162 of the Complaint.

163. Defendants state that the allegations in Paragraph 163 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 163 of the Complaint.

164. Defendants deny the allegations in Paragraph 164 of the Complaint.

165. Defendants deny the allegations in Paragraph 165 of the Complaint.

166. Defendants deny the allegations in Paragraph 166 of the Complaint.

167. Defendants deny the allegations in Paragraph 167 of the Complaint.

168. Defendants state that the allegations in Paragraph 168 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 168 of the Complaint.

169. Defendants state that the allegations in Paragraph 169 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 169 of the Complaint.

170. Defendants state that the allegations in Paragraph 170 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 170 of the Complaint.

171. Defendants deny the allegations in Paragraph 171 of the Complaint.

172. Defendants state that the allegations in Paragraph 172 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 172 of the Complaint.

173. Defendants state that the allegations in Paragraph 173 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 173 of the Complaint.

174. Defendants state that the allegations in Paragraph 174 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 174 of the Complaint.

**FOURTH CLAIM FOR RELIEF
(Violation of CADA)
Sex-Plus-Age Discrimination
Against Defendant Mesa County**

175. Defendants incorporate herein by reference its answers to each and every allegation in Paragraphs numbered 1 through 174 of the Complaint above, as if said answers were set forth

more fully herein as its answer to the allegations contained in Paragraph numbered 175 of the Complaint.

176. Defendants state that the allegations in Paragraph 176 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 176 of the Complaint.

177. Defendants deny the allegations in Paragraph 177 of the Complaint.

178. Defendants deny the allegations in Paragraph 178 of the Complaint.

179. Defendants deny the allegations in Paragraph 179 of the Complaint.

180. Defendants deny the allegations in Paragraph 180 of the Complaint.

181. Defendants state that the allegations in Paragraph 181 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 181 of the Complaint.

182. Defendants state that the allegations in Paragraph 182 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 182 of the Complaint.

183. Defendants state that the allegations in Paragraph 183 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 183 of the Complaint.

184. Defendants deny the allegations in Paragraph 184 of the Complaint.

185. Defendants state that the allegations in Paragraph 185 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 185 of the Complaint.

186. Defendants state that the allegations in Paragraph 186 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 186 of the Complaint.

187. Defendants state that the allegations in Paragraph 187 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 187 of the Complaint.

188. Defendants state that the allegations in Paragraph 188 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 188 of the Complaint.

**FIFTH CLAIM FOR RELIEF
(Violation of CADA)
Aiding, Abetting, Inciting, Compelling, and/or Coercing Discriminatory
and/or Unfair Employment Practice as Defined by CADA
Against Defendant Todd Starr**

189. Defendants incorporate herein by reference its answers to each and every allegation in Paragraphs numbered 1 through 188 of the Complaint above, as if said answers were set forth more fully herein as its answer to the allegations contained in Paragraph numbered 189 of the Complaint.

190. Defendants state that the allegations in Paragraph 190 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 190 of the Complaint.

191. Defendants state that the allegations in Paragraph 191 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 191 of the Complaint.

192. Defendants state that the allegations in Paragraph 192 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 192 of the Complaint.

193. Defendants state that the allegations in Paragraph 193 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 193 of the Complaint.

194. Defendants state that the allegations in Paragraph 194 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 194 of the Complaint.

195. Defendants state that the allegations in Paragraph 195 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 195 of the Complaint.

196. Defendants state that the allegations in Paragraph 196 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 196 of the Complaint.

197. Defendants state that the allegations in Paragraph 197 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 197 of the Complaint.

198. Defendants state that the allegations in Paragraph 198 are legal conclusions that need not be admitted or denied. Nevertheless, to the extent that a response is required, Defendants deny the allegations set forth in Paragraph 198 of the Complaint.

**DEFENDANTS' RESPONSE TO MS. GOHN'S
PRAYER FOR RELIEF**

Defendants deny that Ms. Gohn is entitled to any damages identified in her Prayer for Relief, including but not limited to:

- a. Declaratory relief and injunctive relief;
- b. Actual economic damages as established at trial;
- c. Compensatory damages, including, but not limited to those for future pecuniary and non-pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses;
- d. Punitive or exemplary damages for all claims as allowed by law in an amount to be determined at trial;
- e. Liquidated damages for all claims as allowed by law;
- f. Pre-judgment and post-judgment interest at the highest lawful rate;
- g. Attorney's fees and costs; and
- h. Such further relief as justice requires.

MS. GOHN'S JURY TRIAL REQUEST

Defendants acknowledge that Ms. Gohn requested a trial by jury in her Complaint.

Finally, except as expressly admitted above, each and every allegation contained in Ms. Gohn's Complaint, whether numbered or unnumbered paragraphs, is denied.

AFFIRMATIVE DEFENSES

- A. The Complaint fails to state a claim upon which relief can be granted and must be dismissed.
- B. The claims set forth in the Complaint are frivolous, vexatious, and without substantial justification.

C. The Complaint and the claims set forth therein are barred because of the intentional acts of the Plaintiff and by the doctrines of waiver, estoppel, and unclean hands.

D. The claims for damages asserted in the Complaint are barred, in whole or in part, by the Plaintiff's failure to mitigate her damages.

E. Any damages requested in the Complaint are capped or barred by state and federal law.

F. The claims for damages asserted in the Complaint are barred, in whole or in part, under the provisions of the Colorado Governmental Immunity Act.

G. Any damages for the Plaintiff are barred or reduced by income received from collateral sources, and Mesa County is entitled to a set-off to the extent that the Plaintiff recovers(ed) any money from collateral sources.

H. This Court lacks jurisdiction over all or a portion of any claims that the Plaintiff did not specifically and timely raise before the Equal Employment Opportunity Commission (EEOC) and/or the Colorado Civil Rights Division (CCRD) with respect to which no investigation or conciliation efforts have been made by that agency, or that were not included in any determination by the EEOC/CCRD.

I. Plaintiff's claims for damages must be dismissed or reduced because of after-acquired evidence.

J. Plaintiff's damage claims based on Colorado law must be dismissed or her damages reduced because her exclusive remedy is Workers' Compensation.

K. To the extent that the Complaint, and any claim set forth therein, bases any claim(s) on conduct or events occurring before the applicable filing period or statute of limitation, those claims are barred by law.

L. Mesa County and Mr. Starr undertook actions in good faith that were based on legitimate, lawful, justified, nondiscriminatory, and nonretaliatory reasons and were based on reasonable factors other than the Plaintiff's age and/or sex.

M. Mesa County and Mr. Starr would have reached the same decision with respect to Plaintiff regardless of her gender.

N. Mesa County and Mr. Starr did not discriminate with malice, willful disregard, or reckless indifference to the Plaintiff's federally-protected or state-protected rights. Thus, the Plaintiff has no legally cognizable claim for punitive or liquidated damages.

O. At all times, Mesa County's and Mr. Starr's actions were lawful, justified, and made in good faith.

P. The Plaintiff's claims for punitive damages are barred, in whole or in part, because Mesa County and Mr. Starr cannot be vicariously liable for the acts of its agents, which acts are expressly denied, that are contrary to the good-faith efforts made by Mesa County and Mr. Starr to comply with all applicable laws.

Q. The Plaintiff may not recover punitive damages because at all times relevant to the Plaintiff's Complaint, Mesa County had in place a policy to prevent discrimination in the workplace, and Mesa County made good-faith efforts to implement and enforce its policy.

R. The Plaintiff's claims must be dismissed for any conduct the Plaintiff failed to notify Mesa County of or for which the Plaintiff failed to use the internal remedies of Mesa County, thus denying Mesa County the opportunity to investigate their claims and take remedial action, if necessary.

S. The Plaintiff's claims of discrimination based on protected classification(s) must be dismissed because no reasonable person could interpret the conduct alleged as severe or pervasive and/or based on a protected classification, or otherwise unlawful.

T. The business judgment rule protects Mesa County and Mr. Starr and bars recovery for some or all of its conduct and decisions; all standards and criterion used by Mesa County and Mr. Starr are job related and consistent with business necessity; and Mesa County and Mr. Starr based their decisions concerning the Plaintiff's employment on reasonable and sufficient grounds.

U. The Plaintiff's complaint is barred, in whole or in part, because the Plaintiff's working conditions were not so intolerable that a reasonable person would have felt compelled to resign.

V. Mesa County and Mr. Starr reserve the right to amend this Answer to allege any additional defenses as may later become available or apparent.

WHEREFORE, having fully answered the allegations of Plaintiffs' Complaint and having raised defenses thereto, Mesa County and Mr. Starr pray that judgment be entered against Plaintiff on all claims and that Mesa County and Mr. Starr be awarded its reasonable costs, including attorneys' fees, incurred in defending this action and such other relief as this Court deems appropriate.

BECHTEL & SANTO L.L.P.

s/ Michael C. Santo

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Attorneys for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **DEFENDANTS' ANSWER TO COMPLAINT AND JURY DEMAND** was electronically filed with the Clerk of the Court using the CM/ECF system this 8th day of September 2025, which will send notification of such filing to the following:

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s/ Barbara Hayward

Barbara Hayward, Paralegal