

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CHRISTOPHER ROLLER,

Plaintiff,

v.

Case No. 05-CV-1297

GE MEDICAL SYSTEMS INFORMATION
TECHNOLOGIES, INC.,

Defendant.

DEFENDANT'S AMENDED ANSWER AND AFFIRMATIVE DEFENSES

Defendant GE Medical Systems Information Technologies, Inc. ("GE") as and for its answer to Plaintiff's Complaint, responds as follows:

1. When I get to GE (Micro-Medical initially) I had just been through an unbelievable experience the previous three months.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 1 and therefore denies.

2. It's been explained on www.mytrumanshow.com.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 2 and therefore denies.

3. In the first few months while working at GE, I told some co-workers my story from 1999 - www.mytrumanshow.com.

Answer: Admits Plaintiff told his story to Kristi Hensley, Jen Roach and Kelly Drake during the first few months of his employment; lacks knowledge or information

sufficient to form a belief regarding the truth of the remaining allegations of paragraph 3 and therefore denies.

4. Kristi (and others perhaps via gossip) found this interesting until she found out I had been seeing a psychiatrist and been diagnosed mentally ill.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 4 as Defendant is unsure to whom Plaintiff is referring and therefore denies.

5. Kelly Drake and Rich Adcock inquired about my psyche.

Answer: Admits Kelly Drake and Rich Adcock met with Plaintiff regarding his "story"; lacks knowledge or information sufficient to form a belief regarding the truth of the remaining factual allegations of paragraph 5 and therefore denies.

6. I gave them my psychiatrist contact information from New Ulm.

Answer: Admits the allegations of paragraph 6.

7. My story started freaking people out, so Rich, in mid-October, with my house closing hinging, gave an ultimatum - stop talking about your story, or we may have to let to [sic] go.

Answer: Admits that Rich Adcock asked Plaintiff to stop talking about his "story;" denies that Mr. Adcock told Plaintiff if he did not stop talking about the story he would be let go; lacks knowledge or information sufficient to form a belief regarding the truth of the remaining factual allegations of paragraph 7 and therefore denies.

8. So I kept quiet about my story for the next two years except for a few close friends, Noah Allard, Troy Wollman, and Nate Kruse, and very briefly with Kevin Impehoven (who I initially perceived as a friend).

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 8 and therefore denies.

9. Then in August of 2000, I suspected some co-workers poisoned some food, after vomiting horribly that night and taken ill for 3 or so days.

Answer: Admits Plaintiff reported a suspicion that some food had been poisoned; lacks knowledge or information sufficient to form a belief regarding the truth of the remaining factual allegations of paragraph 9 and therefore denies.

10. On the 2nd day, with the good advice from Noah Allard, I went to Sioux Valley Hospital to get my blood tested as part of a private investigation to prove myself wrong.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 10 and therefore denies.

11. But Sioux Valley did something as stupid (and inhumane) as it [sic] as it gets.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 11 and therefore denies.

12. They took the [sic] my private investigation, and made it public, admitted me to Sioux Valley Mental Hospital while not testing my blood.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 12 and therefore denies.

13. I was trying to do something smart, and Sioux Valley did everything stupid.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 13 and therefore denies

14. I was in the mental hospital for about three days.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 14 and therefore denies.

15. Bob Moore visited me.

Answer: Denies the allegations of paragraph 15.

16. Upon exiting, Noah Allard couldn't believe it - he felt guilty about what happened.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 16 and therefore denies.

17. I was simply shocked that my private investigation went public, announcing to all my coworkers that I [sic] just been to a mental hospital.

Answer: Denies announcing to co-workers that Plaintiff spent time in a mental hospital; lacks knowledge or information sufficient to form a belief regarding the truth of the remaining factual allegations of paragraph 17 and therefore denies.

18. That event would lead to two straight years of 20 mg of a drug called Zyprexa, which is like a tranquilizer - major side effects are grogginess in the morning, and loss of thinking and creativity on the job.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 18 and therefore denies.

19. Once or twice in the months following this, Bob Moore mentioned (at least once publicly among the cubicles), at work, the possibility that I might bring a shotgun to work (and unload it), to notify him with phone call so he can stay home.

Answer: Admits Bob Moore made such a statement one time in a joking manner; affirmatively alleges that, at the time of the statement, Mr. Moore was unaware that Plaintiff suffered from any alleged mental disabilities.

20. We all joke around at work, but this was an odd event and very misplaced, but I could only laugh it off because I currently have a good job and not homeless.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 20 and therefore denies.

21. That would soon change.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 21 and therefore denies.

22. In January 2002, shortly before dismissal on February 18th, Bob Moore had a talk with me about my lack of punctuality in the morning.

Answer: Admits Mr. Moore spoke with Plaintiff about his punctuality problems; affirmatively alleges Mr. Moore also spoke with Plaintiff about his poor work performance and lack of productivity at this meeting.

23. I told him the drugs were making me drowsy - he responded with little consideration.

Answer: Admits Plaintiff told Mr. Moore he was taking some medication that made him drowsy; affirmatively alleges Plaintiff did not elaborate regarding the medication being taken; further alleges Mr. Moore was not aware that Plaintiff suffered from any alleged mental disability at the time of this meeting; denies any remaining allegations of paragraph 23.

24. On Feb 18, 2002, I was dismissed over an argument I had with Kevin Impehoven at work a week earlier.

Answer: Admits Plaintiff was placed on leave in February 2002 following inappropriate physical altercations with co-workers and declining performance; affirmatively alleges Plaintiff signed a severance agreement in April 2002 and pursuant to the terms of that severance agreement, Plaintiff's last day of employment was July 26, 2002; denies any remaining allegations of paragraph 24.

25. Arguments aren't rare anywhere, but when you're diagnosed with mental illness, there could be possibility that I may harm or kill somebody over an argument, despite having no proof of such a claim.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 25 and therefore denies.

26. Both my mom and I knew the reason for the dismissal, but with little proof, it was our word against theirs.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 26 and therefore denies.

27. Months after dismissal, I begged Rich and Bob for my job back via email.

Answer: Admits Plaintiff e-mailed Bob Moore and asked for his job back; denies the remaining allegations of paragraph 27.

28. With no response, I was forced to sell the house and move back home near my parents.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 28 and therefore denies.

29. In the process of all this, I was now facing a bad economy with no jobs and have to support two children in [sic] one wife, and facing my own self-respect and identity crisis, I went through about six months of suicidal thoughts, including a committed plan.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 29 and therefore denies.

30. Then on October 28th, 2004, I told my story (www.mytrumanshow.com) of 1999, like I did to Kristi and others in my first months at GE.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 30 and therefore denies.

31. Despite trying to put some common sense into the doctor, he caged me up like an animal, for fear that "something could happen at any time unpredictably in the future" - that I could harm or kill somebody, which is probably the actual reason for dismissal at GE.

Answer: Lacks knowledge or information sufficient to form a belief regarding the truth of the factual allegations of paragraph 31 and therefore denies; affirmatively alleges Plaintiff was not terminated because of any alleged disability.

32. I'm suing GE Medical Systems for \$1,000,000,000 for discrimination for mental illness, resulting in loss of job, resulting in pain and suffering from suicidal thoughts and nearly committed, which could have resulted in the death of a future President and the person responsible for godly powers on the planet.

Answer: Admits Plaintiff is suing GEMS IT for discrimination; denies the remaining allegations of paragraph 32.

33. GEMS IT denies, generally and specifically, each and every allegation contained in the Complaint to the extent that those allegations are not specifically admitted above.

AFFIRMATIVE DEFENSES

1. Plaintiff has failed to state a claim upon which relief may be granted.
2. Plaintiff's claim is barred by applicable statutes of limitations.
3. Plaintiff has failed to properly exhaust his administrative remedies and/or has otherwise failed to comply with all of the statutory prerequisites to suit.
4. Plaintiff's claim has been filed in an improper venue.
5. Plaintiff's Complaint is barred by the fact that any action taken against Plaintiff was for a proper, business-related reason, which was undertaken in good faith and was neither arbitrary, capricious nor unlawful.
6. Plaintiff's claim is barred by the Severance Agreement he entered into with GEMS IT.
7. Plaintiff has failed to mitigate or reasonably attempt to mitigate his damages, if any, as required by law.
8. Plaintiff's claim is barred by waiver, estoppel and/or laches.
9. To the extent Plaintiff had a disability, upon information and belief, Plaintiff posed a direct threat to the health and safety of himself and others in the workplace.
10. GEMS IT denies any discrimination towards Plaintiff, but even if Plaintiff's alleged disability, or other protected category had been a factor in the actions of the Defendant, the challenged decisions still would have been made in the absence of such consideration.

WHEREFORE, GEMS IT asks that the Complaint be dismissed in its entirety, with prejudice, that it be awarded costs, disbursements and actual attorneys fees expended in defending this action and that it be awarded whatever other relief the Court deems equitable.

Dated: January 30, 2006.

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