

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

COSTAR REALTY INFORMATION, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	Civil Action No. 1:15-cv-440-RP
	§	
REALMASSIVE, INC., JOSHUA MCCLURE,	§	
CRAIG HANCOCK, JASON VERTREES,	§	
and CRAIG NEGOESCU,	§	
	§	
Defendants.	§	

**DEFENDANTS' FIRST AMENDED ANSWER**

TO THE HONORABLE ROBERT PITMAN:

Defendants RealMassive, Inc., Joshua McClure, Craig Hancock, Jason Vertrees and Craig Negoescu (collectively, "Defendants"), subject to their Rule 12(f) Motion to Strike, hereby file this First Amended Answer to the Plaintiff's Complaint, and would respectfully show:

**I. Answer to Allegations in Complaint.**

1. Defendants admit the allegations in Paragraph 1 of the Complaint.
2. Defendants deny the allegations in Paragraph 2 of the Complaint.
3. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 3 of the Complaint, and so deny them.
4. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 4 of the Complaint, and so deny them.
5. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 5 of the Complaint, and so deny them.

6. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 6 of the Complaint, and so deny them.

7. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 7 of the Complaint, and so deny them.

8. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 8 of the Complaint, and so deny them.

9. Defendants deny the allegations in Paragraph 9 of the Complaint.

10. Defendants admit that Defendant RealMassive, Inc., operates the website located at [www.realmassive.com](http://www.realmassive.com), and deny the remaining allegations in Paragraph 10 of the Complaint.

11. Defendants deny the allegations in Paragraph 11 of the Complaint.

12. Defendants deny the allegations in Paragraph 12 of the Complaint.

13. Defendants deny the allegations in Paragraph 13 of the Complaint.

14. Defendants deny the allegations in Paragraph 14 of the Complaint.

15. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 15 of the Complaint, and so deny them.

16. Defendants admit the allegations in Paragraph 16 of the Complaint.

17. Defendants admit the allegations in the first sentence of Paragraph 17 of the Complaint, and deny the remaining allegations.

18. Defendants admit the allegations in the first and second sentences of Paragraph 18 of the Complaint, and deny the remaining allegations.

19. Defendants admit the allegations in the first sentence of Paragraph 19 of the Complaint, and deny the remaining allegations.

20. Defendants admit the allegations in the first and second sentences of Paragraph 20 of the Complaint, and deny the remaining allegations.

21. The statement in Paragraph 21 of the Complaint does not require an admission or denial.

22. Defendants deny the allegations in Paragraph 22 of the Complaint.

23. Defendants admit the allegations in Paragraph 23 of the Complaint.

24. Defendants admit that RealMassive, Inc., is subject to personal jurisdiction in Texas.

25. Defendants admit that the Individual Defendants are subject to personal jurisdiction in Texas.

26. Defendants admit that venue is proper in this Court.

27. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 27 of the Complaint, and so deny them.

28. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 28 of the Complaint, and so deny them.

29. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 29 of the Complaint, and so deny them.

30. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 30 of the Complaint, and so deny them.

31. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 31 of the Complaint, and so deny them.

32. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 32 of the Complaint, and so deny them.

33. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 33 of the Complaint, and so deny them.

34. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 34 of the Complaint, and so deny them.

35. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 35 of the Complaint, and so deny them.

36. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 36 of the Complaint, and so deny them.

37. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 37 of the Complaint, and so deny them.

38. Defendants deny the allegations in the first two sentences of Paragraph 38 of the Complaint, admit that Defendants McClure and Hancock were interviewed by the *Austin Business Journal*, but deny that the characterization of their interview in Paragraph 38 is accurate.

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

40. Defendants deny the allegations in the first sentence of Paragraph 40 of the Complaint, admit that Defendant McClure gave an interview to the *New York Times*, that Defendants Hancock and McClure gave an interview to Benzinga, that Defendant Vertrees gave a talk on Austin Tech Live, but deny the characterizations of their statements in Paragraph 40 of the Complaint.

41. Defendants deny the allegations in Paragraph 41 of the Complaint.

42. Defendants deny the allegations in Paragraph 42 of the Complaint.

43. Defendants deny the allegations in Paragraph 43 of the Complaint.

44. Defendants deny the allegations in Paragraph 44 of the Complaint.

45. Defendants deny the allegations in Paragraph 45 of the Complaint.

46. Defendants deny the allegations in Paragraph 46 of the Complaint.

47. Defendants deny the allegations in Paragraph 47 of the Complaint.

48. Defendants deny the allegations in Paragraph 48 of the Complaint.

49. Defendants deny the allegations in Paragraph 49 of the Complaint.

50. Defendants deny the allegations in Paragraph 50 of the Complaint.

51. Defendants admit that RealMassive, Inc., employs multiple protocols to avoid infringing third parties' intellectual property, and deny the remaining allegations in Paragraph 51 of the Complaint.

52. Defendants deny the allegations in Paragraph 52 of the Complaint.

53. Defendants deny the allegations in Paragraph 53 of the Complaint.

54. Defendants deny the allegations in the first sentence of Paragraph 54 of the Complaint, and lack sufficient knowledge or information to form a belief about the truth of the remaining allegations, and so deny them.

55. Defendants deny the allegations in Paragraph 55 of the Complaint.

56. Defendants deny the allegations in the first sentence of Paragraph 56 of the Complaint, admit that the incorporated photograph formerly was available on the RealMassive website but was removed immediately upon notice of CoStar's claim of infringement. Defendants deny the remaining allegations in Paragraph 56.

57. Defendants admit that the photograph incorporated in Paragraph 57 of the Complaint formerly was available on the RealMassive website but was removed immediately

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