

**IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA**

**BEDELIA C HARGROVE, AS  
ADMINISTRATRIX AND NEXT  
FRIEND FOR BOBBI KRISTINA  
BROWN,** )

Plaintiff, )

vs. )

**NICHOLAS GORDON, ,** )

Defendant. )

CIVIL ACTION FILE NO.  
2015CV262460

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**PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANT NICHOLAS GORDON'S  
MOTION TO STAY ALL DISCOVERY AND PLAINTIFF'S MOTION  
FOR SANCTIONS**

**INTRODUCTION**

Defendant Nicholas Gordon has no problem giving an interview to Dr. Phil but asks this court to relieve him of his legal responsibility to participate in discovery in this case. The Defendant has resorted to a tried and true maneuver of erecting meritless roadblocks to prevent the Estate of Bobbi Kristina Brown from placing in the record the facts in support of the lawsuit filed herein.<sup>1</sup> In the latest attempt at obfuscation and delay, the Defendant resorts to reliance on sources outside of the record in this case and rather than base his pleading on legal concepts and analysis has instead resorted to reckless ad hominem attacks on the Plaintiff and others. The Defendant has failed to provide any legitimate basis which would lead this court to prevent his participation in discovery in this case. In fact, the Defendant has freely availed himself of the Court's process when it suits his own ends but then quickly pivots away from his responsibility to engage in

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<sup>1</sup> The pending motion may be moot because Mr. Gordon may be found to be in default for failure to timely file his Answer and, thus, the case would proceed to trial solely on the issue of damages. *See, discussion, inter alia.*

discovery for reasons which are patently obvious: he hopes to avoid having to give account in this proceeding. The Defendant has already filed two (2) answers in which he denies the allegations of the complaint but in which he blames Bobbi Kristina Brown for the injuries she sustained. He now seeks court intervention to prevent the Plaintiff from seeking the basis of his denials. The motion is meritless, was interposed for delay, is lacking in factual and legal support and should be summarily denied. For the reasons set forth below, Plaintiff requests that the Motion to Stay Discovery be denied and sanctions imposed.

**CURRENT CASE STATUS AND RESPONSE TO DEFENDANT'S "PROCEDURAL BACKGROUND AND RELEVANT FACTS" PORTION OF HIS BRIEF AND SALIENT FACTS**

The Complaint alleges, *inter alia*, that the decedent, Bobbi Kristina Brown, was physically abused by the Defendant on numerous occasions and later died following a particularly violent altercation with the Defendant which left her battered and bruised, with a tooth knocked out and that the Defendant absconded with thousands of dollars of Ms. Brown's money. (Amended Complaint, ¶¶8, 10, 12, 15, 16), *see*, also, Defendant's limited admission, Answer ¶15). Plaintiff Bedelia C Hargrove was appointed Administratrix of Ms. Brown's Estate on July 30, 2015 and has brought this lawsuit as a result thereof. (Complaint, ¶ ¶1, 2). Ms. Brown was fatally injured at the home she shared with Defendant which he admits. (Answer ¶5). Plaintiff contends that Ms. Brown died due to a violent altercation with Defendant after which he placed her in a bathtub, unconscious, after he injected her with a toxic mixture. (Complaint, ¶ ¶10-17). Defendant, on the other hand has alleged that Ms. Brown's death was due to contributory negligence/comparative negligence, an unforeseeable, independent intervening and superseding cause and that she assumed certain risks which lead to injuries and her death. (See, Answer, Fifth Defense, Sixth Defense and Seventh Defense) Defendant also alleges that Ms. Brown failed to mitigate her damages. (See, Answer, Fifth Defense). Defendant also admits that he had an argument with Ms. Brown on the

night she was found unconscious after he was alone in the bathroom with her, where she was later found unconscious and that he changed from his wet clothes to dry clothes. (See, Answer, ¶12).

Defendant voluntarily acknowledged service of the Complaint and then voluntarily filed his Answer, with full knowledge that the possibility of criminal probe would occur or was occurring given the facts and circumstances surrounding Ms. Brown's injuries and subsequent death. Curiously, with that knowledge, Defendant and his counsel have made numerous statements to the press, appeared on television to discuss the case and the Defendant places himself at the scene of the alleged crime and voluntarily admits some of the allegations of the Complaint which form the basis of the liability sought yet now seeks to hide behind the mere possibility that he may assert his Fifth Amendment privilege. Prior to filing his Answer and with full knowledge of the possible criminal investigation, Defendant never sought court intervention to preserve any purported Fifth Amendment privilege nor sought to avail himself of any other court process which would have delayed or prevented his having to answer questions regarding his conduct related to Ms. Brown's injuries and death in a this civil proceeding, i.e., a protective order. Now, some **4 months** following the filing of the Complaint and after having joined issue on the matter of the cause of Ms. Brown's injuries, the Defendant brazenly requests the court to block discovery. The Motion is without merit.

Defendant's plaintive plea based on his Fifth Amendment privilege that he be prevented from responding to discovery rings hollow and is legally insufficient.

#### **Defendant Has Already Actively Participated In This Case**

While this case has been pending, the Defendant has freely availed himself of the court process. He acknowledged service of the Complaint. He has filed an Answer, An Amended Answer, and a Motion to Dismiss based on lack of personal jurisdiction, a Motion to Withdraw the Motion to Dismiss, and, most recently, a Motion to Open Putative Default and has propounded

discovery upon the Plaintiff, i.e., interrogatories and requests for production of documents. Given this extensive participation in this process. The Defendant cannot now be heard to complain of its existence or his need to respond to discovery. Moreover, the Defendant provides the court with no actual proof that he is the subject of a parallel criminal proceeding and certainly provides no proof that he has been indicted, arrested, questioned or charged with any crime. In fact he has not been. On page 2 of his brief in support of the Motion to Stay, the Defendant offers the basis for his claim for the need for protection from discovery when he avers that "...a criminal investigation is underway."<sup>2</sup> In support of this conclusory, unsubstantiated, statement, the Defendant cites to a Press Release by the Fulton County Medical Examiner. See, Exhibit "A" to the Brief in Support. Exhibit "A" to the brief is inadmissible hearsay and cannot form the basis of a decision by this court to halt discovery.<sup>3</sup> Even if it were admissible, Exhibit "A" does not purport to establish the existence or non-existence of a criminal probe but is rather the Medical Examiner's statement regarding the status of his investigation into the cause of death, medically, of Bobbi Kristina Brown. This is insufficient to support the Defendant's request for relief. Although the Defendant argues that he will "...be unfairly, legally and financially prejudiced should he be subject to parallel criminal and civil proceedings" he provides no proof that such is in fact the case. The only

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<sup>2</sup> The Brief is not accompanied by an affidavit from the Defendant or any other person.

<sup>3</sup> See, e.g., "Printouts of [w]eb pages must first be authenticated as accurately reflecting the content of the page and the image of the page on the computer at which the printout was made" before they can be introduced into evidence. Kenneth S. Broun, 2 McCormick on Evidence § 227 (6th ed. 2006). See *Nightlight Sys. v. Nightlites Franchise Sys.*, No. 1:04-CV-2112-CAP, 2007 WL 4563875, at \*6, 2007 U.S. Dist. LEXIS 95538, at \*16 (N.D.Ga. May 11, 2007) (noting that "to authenticate a printout from a web page, the proponent must present evidence from a percipient witness stating that the printout accurately reflects the content of the page and the image of the page on the computer at which the printout was made"). Then, to be relevant and material to the case at hand, the printouts often will need to be [316 Ga.App. 110] further "authenticated as having been posted by a particular source." 2 McCormick on Evidence, supra, § 227. See, e.g., *Twiggs v. State*, 315 Ga.App. 191(2), 726 S.E.2d 680 (2012); *Hollie*, 298 Ga.App. at 3(1), 679 S.E.2d 47. See, also, *United States v. Jackson*, 208 F.3d 633, 637 (7th Cir.) ("The web postings were not statements made by declarants testifying at trial, and they were being offered to prove the truth of the matter asserted. That means they were hearsay."), cert. denied, 531 U.S. 973 (2000); *Savariago v. Melman*, 2002 U.S. Dist. LEXIS 8563 at \*5 (N.D. Tex. 2002) (excluding on summary judgment "unauthenticated hearsay from an Internet search"); *Monotype Imaging, Inc. v. Bitstream Inc.*, 376 F. Supp. 2d 877, 884-85 (N.D. Ill 2005) ("The Court refused to admit Exhibits 15 and 17 for the truth of the matter asserted in them because these exhibits are inadmissible hearsay.

proceeding extant is the civil lawsuit filed by Plaintiff in which the Defendant has freely and actively participated. Even if there is or may be another proceeding which inquiries into this matter, that alone is insufficient to stay discovery given the Defendant's admissions and participation in this proceeding to date.

Rather than seeking to have the pleadings sealed in this case, if he were truly concerned about the potential collateral damage it might cause, The Defendant instead decided to use his various pleadings and this Motion to wage a public relations war with Plaintiff and Mr. Brown's family. The Answer is replete with invective and loud claims of slander and other misconduct because the Defendant knew that public interest in this case would result in the publication of the claims in the Answer.<sup>4</sup> Incredibly, the Defendant went on the internationally televised "Dr. Phil" show and openly discussed this case before millions of viewers but now seeks court intervention to avoid answering discovery in this case. (See, as only a small sampling of the media reports<sup>5</sup>, Exhibits A-J<sup>6</sup>) The Defendant's public discussion and public displays about this case knows no bounds as he is alleged to have received \$40,000 to allow a magazine to take pictures of him at Ms. Brown's gravesite. Since the Defendant and his counsel, have spoken openly, publically and freely about this case, have given interviews about this, all the while being fully aware that a criminal investigation may have been ongoing, surely cannot seriously request that this court stay these proceedings. The filing of the Motion to Stay, in light of the very public way the Defendant and his counsel and have proceeded heretofore is the height of dissimulation.

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<sup>4</sup> In support of the untimely and legally insufficient Motion to Stay, the Defendant has attempted to place in the record matters outside the pleadings, including internet reports and internet articles which are inadmissible. To properly respond, Plaintiff must counter by presenting to the court instances where the Defendant has freely discussed his role in the cause of Ms. Brown's injuries and death and publically commented thereon. Exhibits A-J are not offered for the truth of what the postings assert and were personally downloaded by Plaintiff's counsel to his computer.

<sup>5</sup> Mr. Gordon has also utilized social media to get his version of the facts into the public domain.

<sup>6</sup> A click on any of the articles in the Exhibits will pull up innumerable other articles published around the world regarding this matter.

The factual and procedural record clearly shows that the Motion to Stay is devoid of merit and must be denied.

### ARGUMENT AND CITATION OF AUTHORITY

The Defendant's main argument is that by proceeding with discovery his Fifth Amendment rights "are being implicated." (Brief in Support, page 3). In effect, the Defendant seeks a blanket prohibition against Plaintiff asking him any questions in discovery. However, Georgia law is clear, "There is no blanket Fifth Amendment right to refuse to answer questions in civil proceedings... Dempsey v. Kaminski Jewelry, Inc., 278 Ga. App. 814 (2006)<sup>7</sup>. Rather than a blanket prohibition, even in those circumstances where one might be heard to argue that a party's Fifth Amendment Rights are somehow implicated, "The privilege must be specifically claimed on a particular question and the matter submitted to the court for its determination as to the validity of the claim." Dempsey, supra, citing Tennesco, Inc. v. Berger, 144 Ga.App. 45, 48 (1977). The Defendant misunderstands the purpose and use of the privilege and forgets that it is invoked, not in advance, but in a particular circumstance where it is not only applicable but necessary so that the court can determine whether to compel a response even in the face of the purported use of the privilege. The Defendant cannot be permitted to use the **potential** use of his Fifth Amendment privilege like the cloaking device in *Star Trek* to make himself invisible in this civil process.

Defendant's reliance on Homeland Self-Storage Management, LLC v. Pine<sup>8</sup> 2014 WL 8396760, Superior Court of Fulton County, Judge Goger, is misplaced. In fact, the result reached in Homeland should be reached here: Defendant should be compelled to provide testimony and discovery responses. In concluding that the Motion to Stay on Fifth Amendment grounds should

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<sup>7</sup> The *Dempsey* trial court also imposed the sanction of an award of attorneys' fees when the adverse party failed in attempts to get a Motion for Protective Order granted, the court reverse only because no hearing was held before the imposition of fees.

<sup>8</sup> The Homeland case is not binding precedent but is instructive.

be denied, Judge Goger pointed out in Homeland and as in clear in this case, that: (1) the Defendant has **not** been indicted in a parallel criminal proceeding and "[a]bsent special circumstances, the mere existence of parallel criminal and civil proceedings does not compel a stay of civil proceedings." (citing Braswell v. US, 487 U.S. 99 (1974)); (2) Defendant is **not** being forced to choose between forfeiting the privilege or losing the civil case automatically; (3) the Defendant **may not** raise a "blanket invocation of the Fifth Amendment privilege without addressing **specific** implications of each discovery request, because "...a blanket invocation would prevent legitimate discovery of non-privileged information..." citing, Chumley v. State, 282 Ga. 117, 120 (2006). Judge Goger ruled that the Motion to Stay was, as here, premature. The fact that Judge Goger adopted the *Dean v. Douglas* criteria does not save the Defendant.

#### **THE DEAN FACTORS MILITATE AGAINST FINDING IN DEFENDANT'S FAVOR**

The Defendant's attempts to force the square peg of this case into the round hole of the *Dean* criteria, ignores the fact that this case is dissimilar on many fronts. He argues that his Fifth Amendment rights are being "implicated" by a nonexistent criminal proceeding. In support of the second prong of the test he argues that he is "insolvent." Whether he is insolvent or not deals strictly with the issue of the collection of damages not whether he should answer discovery. The Defendant then has the unmitigated gall to question the Administratrix' judgment in pursuing this claim. First he has no standing to do so. Second, until this case is finally adjudicated it will not be clear what the value of the claim is and value and collectability are different. If the Defendant caused great pain and suffering to Bobbi Kristina Brown, which we contend he did, the Administratrix would be negligent if she did not pursue him. The Defendant clearly has assets since he has multiple counsel and is selling photographs to the highest bidder. Discovery may reveal a cache of other resources to pay the judgment against him if one is obtained.

The Defendant then attempts to cry poverty as a reason to avoid discovery. The Defendant seems to blame the Plaintiff because he had to engage counsel while ignoring the fact that if Bobbi Kristina Brown were still alive and uninjured, neither party would need counsel. The fact is that the complaint alleges that the Defendant caused Ms. Brown great bodily injury, pain and suffering and that he stole her money both while she was conscious and unconscious. Of course he needs counsel but that's his fault, not the Plaintiff's. The argument that he would be proceeding blindly while "exculpatory" evidence exists cannot be a serious argument. Nothing prevents The Defendant from gathering this so-called "exculpatory" evidence and discovery is the very place where such evidence may be placed in the record. Of course, the Defendant claims he did nothing wrong. What evidence does he need which would be exculpatory that he does not already have? The fourth prong, use of judicial resources is equally insufficient to support his arguments. The Defendant claims the parties will unduly burden the court with discovery issues. This clairvoyance-type argument is premature. He next argues other persons may become involved in this litigation because they may be responsible for injuring Ms. Brown. The Defendant he did not file any third party claims. Surely, if Defendant is aware of the potential culpability of others he should have implead them. Again, this is a meritless argument. The Defendant pretends to worry about the cost to other witnesses but that is simply not his burden.

The interest of the public argument falls flat. The Defendant and his counsel have made this matter public in numerous ways. It strains credulity to believe that the Defendant thinks the public interest is somehow prurient when he went on international television to discuss this case. The seventh and eighth prongs provide no help to the Defendant. No indictment has occurred. There is no overlap between the civil and criminal case because there is no criminal case.



The Defendant's reference to "lynching" as he complains about public comments others have made about him is insensitive and inflammatory. Unless he is totally unfamiliar with the history of lynching in America, the Defendant should use some other metaphor when describing the effects he claims comments made about his potential involvement in this case have had on him. The cavalier reference to lynching in this context is reprehensible and shows a level of disdain for a very painful part of history. But as has been Defendant's pattern, the reference to lynching is yet another example of the Defendant's pandering to the press in the hopes that he and his counsel will be widely quoted so that his popularity will rise when he seeks to secure the inevitable book deal - which he may already have. The use of this kind of rhetoric is not only offensive but sanctionable.

None of the *Dean* factors relied upon by the Defendant justify a stay in this case.

#### **SANCTIONS ARE APPROPRIATE**

The Motion to Stay was clearly interposed for no good cause but to further delay these proceedings. No criminal proceeding exists. No specific discovery is being objected to. No Notice of Deposition has been issued. At the time of the filing of the Motion to Stay, Defendant had not been served with written discovery. The Motion to Stay is only the latest filing designed solely for the purpose of preventing the Plaintiff from acquiring the information to which she is entitled. Defendant acknowledged service, then moved to dismiss alleging the court lacked personal jurisdiction. When a Notice of Deposition was sent to engage in limited discovery regarding the jurisdictional motion, Defendant then withdrew the motion, a clear indication that it was not filed in good faith. If the Defendant truly believed the court lacked personal jurisdiction the giving of a deposition to establish that fact should have been welcomed and it would have once and for all extricated Defendant from this case. Plaintiff's counsel warned Defendant's counsel that if the Motion to Dismiss was frivolous that fees would be sought. Defendant then dismissed the Motion, without explanation. The clear inference is that the Motion to Dismiss was in fact

frivolous and caused Plaintiff to incur unnecessary expense preparing to challenge the Motion to Dismiss. In similar fashion, the Motion to Stay is a transparent attempt to delay these proceedings for no good cause. Defendant bases his Motion to Stay on hearsay, in the form of an unauthenticated website posting. Such "evidence" is inadmissible. No affidavits are attached or any other evidence in support of the Motion. Under the circumstances and given the cost and trouble caused to the Plaintiff, this court should sanction the Defendant and his counsel.

The law provides that “[t]rial judges have broad discretion to control discovery, including imposition of sanctions ....” Russaw v. Burden, 272 Ga. App. 632, 634, 612 S.E.2d 913 (2005); see also West v. Equifax Credit Info Servs., Inc., 230 Ga. App. 41, 42, 495 S.E.2d 300, 302 (1997). There is no requirement that an order to compel be entered first and the responding party fail to comply with that order prior to the entry of sanctions under O.C.G.A. §§ 9-11-37(d) or 9-11-37(b)(2). See Mayer v. Interstate Fire Ins. Co., 243 Ga. 436, 254 S.E.2d (1979); Crane v. Darnell, 268 Ga. App. 311, 601 S.E.2d 726 (2004). Nor is a finding of actual willfulness or bad faith is a prerequisite to sanctions. See City of Griffin v. Jackson, 239 Ga. App. 374, 520 S.E.2d 510 (1999). An inference of wrongdoing or bad faith suffices. See Hernandez v. State, 200 Ga. App. 368, 408 S.E.2d 160 (1991); Barron v. Spanier, 198 Ga. App. 801, 802, 403 S.E.2d 88 (1991). This is especially true, where, as here, the finding of bad faith or willfulness is “implicit in the evidence” before the court. Rivers v. Almand, 241 Ga. App. 565, 527 S.E.2d 572 (1999). All that is required is “a conscious or intentional failure to act, as distinguished from accidental or involuntary non-compliance.” West v. Equifax Credit Info. Servs., Inc., 230 Ga. App. 41, 43, 495 S.E.2d 300, 303 (1997). A continuing refusal to cooperate in discovery, such as that demonstrated by the Defendant in this case, is a valid consideration, justifying the imposition of sanctions. See, e.g., Deep South Constr., Inc. v. Slack, 248 Ga. App. 183, 187, 546 S.E.2d 302, 305 (2001) (appropriate to dismiss claim “for failure to participate in discovery”); Lightwerk Studios, Inc. v. Door Units of Ga., Inc.,

191 Ga. App. 756, 382 S.E.2d 699 (1989); Freeman v. Ripley, 177 Ga. App. 522, 339 S.E.2d 795 (1986). Where a litigant has “unjustifiably expanded and delayed the discovery proceedings” or embarked on a “campaign of obstruction,” sanctions are appropriate. City of Griffin v. Jackson, 239 Ga. App. 374, 520 S.E.2d 510 (1999); Riches to Rags, Inc. v. McAlexander & Associates, Inc., 249 Ga. App. 649, 651, 549 S.E.2d 474, 476 (2001).

### CONCLUSION

The amphigory Motion to Dismiss fails and should subject the Defendant and counsel to sanctions along with a denial of the Motion. Plaintiff respectfully requests that the Motion to Stay Discovery be denied in its entirety and that the court impose the appropriate sanctions, including the imposition of costs and attorneys' fees.

This 8<sup>th</sup> day of October, 2015.

  
**R. DAVID WARE**  
Georgia Bar Number 737756

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**IN THE SUPERIOR COURT OF FULTON COUNTY  
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**BEDELIA C HARGROVE, AS  
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**NICHOLAS GORDON, ,**

Defendant.

CIVIL ACTION FILE NO.  
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**CERTIFICATE OF SERVICE**

This is to certify that I have this day served *Plaintiff's Response In Opposition to the Motion to Stay Discovery And Motion for Sanctions* in the foregoing matter by first class mail, postage prepaid, to counsel of record as follows:

W. Bryant Green, III  
Jonathan M. Broderick  
Law Office of W. Bryant Green, III, PC  
303 Peachtree Street  
Suite 4100  
Atlanta, GA. 30308

This 8th day of October, 2015.

  
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Entertainment Celebrity

# Bobbi Kristina Brown: Nick Gordon denies 'wrongful death' accusations

*By Priya Joshi**September 9, 2015 20:22 BST*

Nick Gordon has denied allegations that he caused Bobbi Kristina's 'wrongful death'. Earlier TMZ reported that the 22-year-old has been accused of murdering the only child of the late Whitney Houston and r'n'b star Bobby Brown, by giving her a "toxic cocktail" of drugs before leaving her face down in the bathtub at their Georgia home.

Bobbi Kristina passed away on 26 July 2015 at Atlanta's Peachtree Christian Hospice, almost six months after she was found unconscious. She was laid to rest beside her mother, who died in tragically similar circumstances at The Beverly Hills Hotel, California in 2012.

In June, Bobbi Kristina's conservator Bedelia C. Hargrove filed a \$10m (£6.4m) lawsuit against Gordon alleging that he stole money from her and subjected her to domestic abuse. In a statement she told People magazine: "I have filed today an amended complaint against Nicholas Gordon adding a count for wrongful death and for pain and suffering. We will leave no stone unturned in seeking justice for Bobbi Kristina Brown."

According to Hargrove, police interviews with friend Max Lomas, who was at the town home on the day of the January 31 incident, revealed that Gordon had been 'out all-night on a cocaine and drinking binge.' The papers obtained by TMZ, claim Gordon and his girlfriend then "became embroiled in a loud argument" that ended in the master bedroom. "The defendant screamed at Bobbi Kristina accusing her of cheating, going so far as to call her a 'whore', a 'b\*\*\*\*', and other names," the papers allege. "The argument lasted for about thirty minutes and then everything abruptly became quiet."

It is then that Gordon is alleged to have administered a "toxic cocktail" to Bobbi Kristina that rendered her unconscious, before putting her face down in a tub of cold water. He emerged from the master bedroom wearing different clothes.

Gordon's lawyers have now filed a response on Tuesday (6 September) to an amended complaint filed last month in a civil lawsuit vehemently denying the allegations of assault, battery, causing emotional distress and theft describing the claims as 'slanderous and

meritless', according to People.

He has admitted that he went out on the night in question, and 'reviewed video footage and then had an argument with Ms. Brown and the he then changed clothes', according to People.

Gordon is reported to have claimed that he had tried to resuscitate Bobbi Kristina but was unsuccessful. He added that 'others unsuccessfully attempted to resuscitate Ms. Brown'. He denied allegations of fraud, and that he had married her or tried to 'control' and 'limit' her interactions with others so that he could benefit from her wealth.

Bobbi Kristina was the sole heir of her mother Whitney's Houston's £22 million fortune. Nick Gordon was welcomed into the Houston family aged 12, after his father went to prison. He was brought up as Bobbi Kristina's brother, but the pair later announced they were "married". Bobby Brown denied any marriage ever took place between the two.

Gordon, who was banned from attending the funeral, has reportedly visited the grave of his late girlfriend, three weeks after the she was laid to rest.

No criminal charges have been brought against Nick Gordon.

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## When something is missing, you notice.

### Nick Gordon denies causing 'wrongful death' of Bobbi Kristina and insists he tried to give her CPR

- Nick Gordon has denied allegations that he caused Bobbi Kristina's 'wrongful death', according to a response filed by his attorney's Tuesday
- Gordon's lawyers said claims in a civil lawsuit filed against him in June are 'slanderous and meritless'
- He denies allegations that he physically abused Brown and fed her a 'toxic cocktail' before placing her face-down in a tub of cold water
- After she was found unresponsive at her Georgia townhome, Gordon said he tried to perform CPR on her but was unsuccessful
- Bobbi Kristina died July 26 at Peachtree Christian Hospice, nearly six months after being found unconscious

By DAILYMAIL.COM REPORTER

PUBLISHED: 23:14 EST, 8 September 2015 | UPDATED: 06:32 EST, 9 September 2015

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Nick Gordon has denied allegations that he caused Bobbi Kristina's 'wrongful death' and says he tried to resuscitate her when she was unresponsive but was unsuccessful.

Gordon's lawyers filed a response on Tuesday to an amended complaint filed last month in a civil lawsuit that accuses him of assault, battery, causing emotional distress and stealing Bobby Kristina's money.

His attorneys hit back at the claims saying they were 'slanderous and meritless', according to **People**.

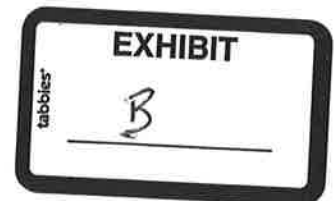
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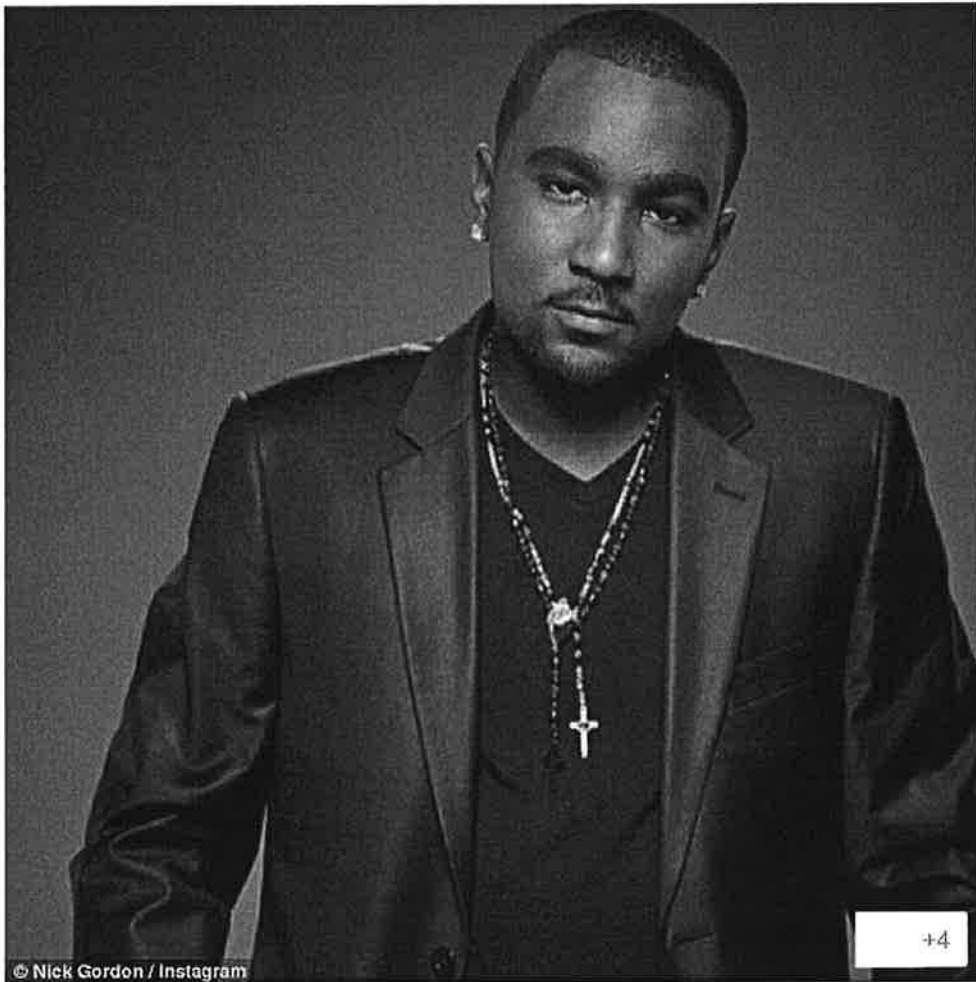
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© Nick Gordon / Instagram

His lawyers filed a response on Tuesday to an amended complaint filed last month in a civil lawsuit in which an earlier version accused him of assault, battery, causing emotional distress and stealing Bobby Kristina's money

He denied allegations that he perpetrated the fraud that he had married her and used that misrepresentation to 'control' and 'limit' her interactions with others so that he could benefit from her wealth, People reported.

Gordon also denies physically abusing Brown, whose conservator Bedelia Hargrove, claims she had her tooth knocked out and was kicked in the side by her boyfriend.

The complaint alleges that Gordon fed Bobbi Kristina Brown a 'toxic cocktail' then placed her face-down in a tub of cold water on the last night she was seen conscious - which he denies.

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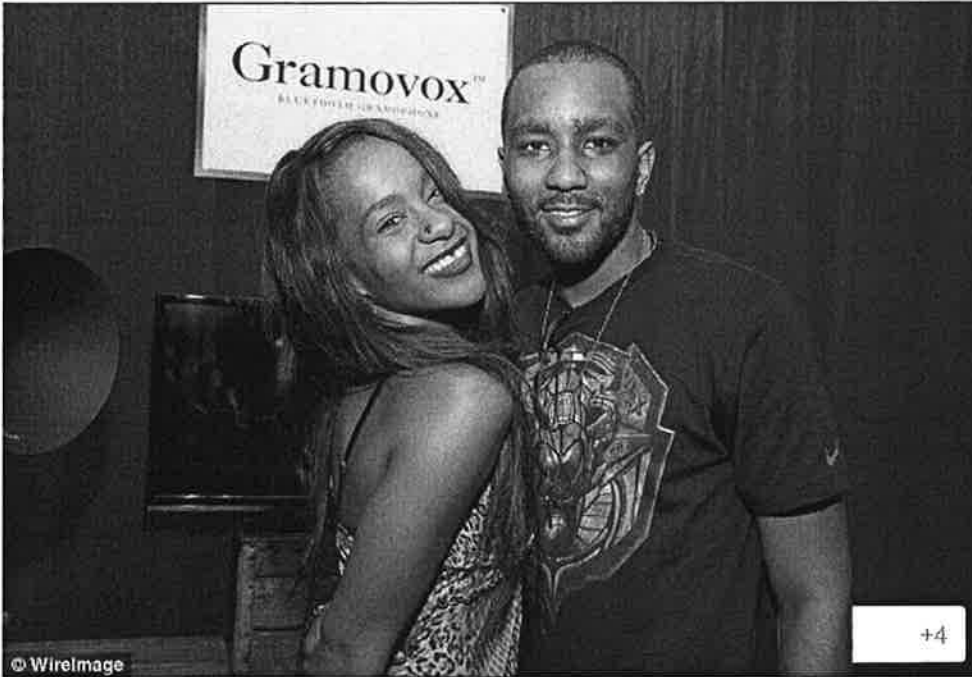
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0:00 / 0:49



Gordon also denies physically abusing Brown, whose conservator Bedelia Hargrove, claims she had her tooth knocked out and was kicked in the side by her boyfriend (Brown and Gordon pictured in 2014)

According to Hargrove, police interviews with friend Max Lomas, who was at the townhome on the day of the January 31 incident, revealed that Gordon had been 'out all-night on a cocaine and drinking binge.'

He does admit that he went out on the night in question, and 'reviewed video footage and then had an argument with Ms. Brown and the he then changed clothes', according to People.

After Bobbi Kristina was found unresponsive in a bath in January at her Georgia townhome, Gordon said he tried to perform CPR on her but was unsuccessful, according to the response.

Dr. Phil tells distraught Nick Gordon to 'man up' for Krissi



0:00 / 0:00



husband James Righton for NYC stroll They're new parents



Is that a XXX-Large? Vin Diesel, 48, covers up in a black polo for TV appearance... after revealing fuller physique while shirtless in Miami Fast and Furious star

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Bobbi Kristina, pictured with her mother, Whitney Houston in 2011, died July 26 at the Peachtree Christian Hospice, nearly six months after being found unconscious

He also admitted that 'others unsuccessfully attempted to resuscitate Ms. Brown', the papers said.

Bobbi Kristina died July 26 at the Peachtree Christian Hospice, nearly six months after being found unconscious.

A civil suit was filed in June and the attorney for the 22-year-old's estate amended the complaint to include an accusation of 'wrongful death.'

'We will leave no stone unturned in seeking justice for Bobbi Kristina Brown,' Hargrove said in a statement as she announced the amendments to the lawsuit.

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Nick Gordon Denies Causing Bobbi Kristina Brown's Death : People.com

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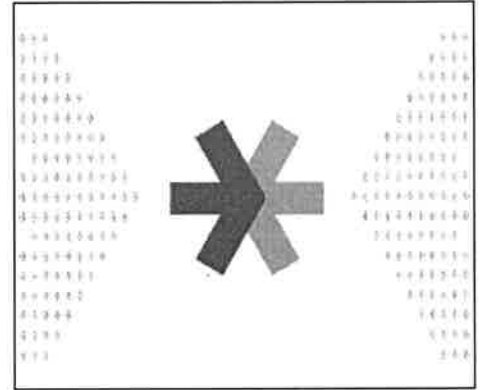


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## CELEBRITY NEWS



SEPTEMBER 9, 2015

# BOBBI KRISTINA BROWN UPDATE: NICK GORDON WANTS WRONGFUL DEATH LAWSUIT DISMISSED

LEIGH EGAN

Nick Gordon's attorneys requested on Tuesday that the wrongful death lawsuit against him, filed earlier this year on June 24, be

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USA Today reports that Gordon's attorneys file a motion to dismiss the lawsuit on the grounds that there is no proof of the "several false criminal and frivolous claims" made against Gordon. The motion also states that Gordon is a resident of Florida, whereas the lawsuit was filed in Georgia, and Gordon "does not transact any business in the state of Georgia."

“Plaintiff's Complaint as answered by Defendant contains several unsupported conclusory, untrue, criminal accusations that Defendant Nicholas Gordon committed acts that he simply did not do.”

Gordon's attorneys also claim that plaintiffs have no evidence against

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their client to "support their baseless claims."

Nick Gordon denies any involvement in the incident on January 31 that left Bobbi Kristina Brown comatose and face-down in a bathtub full of cold water in her Roswell, Georgia, townhouse. Although criminal charges haven't been filed against Gordon, neighbors informed authorities that they heard the couple fighting the night before the incident occurred.

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Undisclosed witnesses indicated that Gordon and Bobbi Kristina were arguing inside the townhouse the day Bobbi Kristina was found comatose. Gordon allegedly called Bobbi Kristina vulgar names, pushed her into the master bathroom, and argued with her. Gordon left her alone in the bathroom before changing clothes and returning to the guests.

Earlier this year, authorities indicated that case is being treated as a criminal matter and that Gordon is the primary suspect, along with "several others" they were investigating.

Gordon, however, adamantly rejects the allegations. Last month, his representatives released a statement that they intended to fight the

lawsuit. In turn, a motion for dismissal was expected to be the next step.



“The recent lawsuit against Nick is slanderous and meritless. Nick has engaged civil counsel and intends to defend the lawsuit vigorously and expose it for what it is: a fictitious assault against the person who loved Krissy most.”

Gordon recently visited Bobbi Kristina's gravesite, despite the wishes of her family who refused to allow him to attend the official funeral services. Bobbi Kristina Brown was laid to rest on August 3, next to her mother, the late superstar singer, Whitney Houston, in New Jersey.

[Photo by Maury Phillips/Getty Images For A+E Networks]

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# Bobbi Kristina Brown's former partner Nick Gordon shares grief after her death, saying 'I'm lost without her'

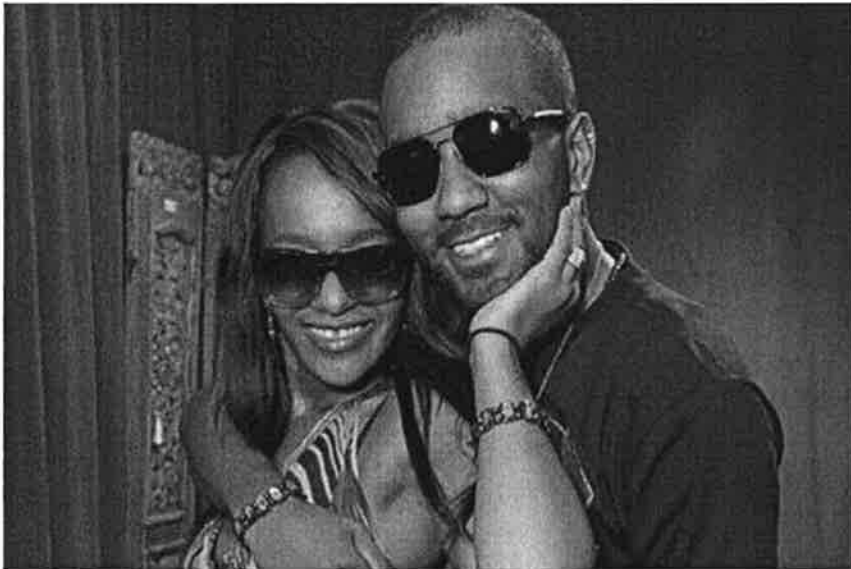
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The former partner of the tragic star has returned to social media to share his grief with this fans

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Nick Gordon has returned to Twitter

[Bobbi Kristina Brown](#)'s former partner [Nick Gordon](#) has returned to Twitter to share his grief following the star's tragic death.

Whitney Houston's daughter passed away in July, six months after being found unconscious in her bath.

Her former partner was banned from seeing Bobbi in hospital by her family - and didn't attend her funeral.

After deleting his Twitter account, he now appears to have reactivated it to share his devastation at losing her.

**nick gordon**  
@nickgordon25

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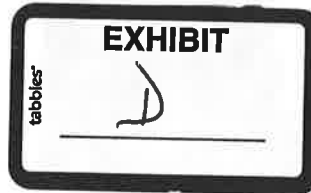
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He began by writing: "# I miss bobbi Kristina so much it hurts she was my everything in life and my best friend I love her so much and I'm lost without her."

Before adding: "I want her back and whiteny too I love u both so much r.i.p."

Nick was **banned from seeing Bobbi Kristina and was previously served with a \$10 million lawsuit**, accusing him of being violent towards her and stealing from her after she was found unconscious in January.



Bobbi Kristina Brown and Nick Gordon

It came after he reportedly sent **Bobby Brown** an **email begging for an invite to the ceremony**.

An email, seen by gossip site TMZ, shows Nick begging to say goodbye to Bobbi and saying he is "destroyed".

The email reads: "I loved Krissi with all my heart and I am destroyed that she is gone and I need to say goodbye."

The email, which was also sent to her aunt Pat Houston, continues: "Im begging you both to please put your differences aside and allow me this chance.

"Krissi loved me very much and she would want me there."



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## [Nick Gordon Denies Causing Bobbi Kristina's Death; Files To Dismiss Wrongful Death Suit](http://www.inflexwetrust.com/2015/09/09/nick-gordon-denies-causing-bobbi-kristinas-death-files-to-dismiss-wrongful-death-suit/)

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Nick Gordon has filed court documents to have the wrongful death lawsuit filed by a court-appointed conservator for Bobbi Kristina thrown out. Gordon and his expert team of lawyers called the claims "slanderous and meritless."

Read more below.

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Nick Gordon has been slammed with a lawsuit that claims he gave Bobbi Kristina Brown a "toxic cocktail" (<http://www.inflexwetrust.com/2015/08/08/lawsuit-claims-nick-gordon-gave-bobbi-kristina-a-toxic-cocktail-that-lead-to-her-death/>) and then placed her facedown in the bathtub. This incident occurred after Gordon came home and check the security footage in the home which exploded into an argument leading to the incident that caused Bobbi Kristina's death.



Gordon denies these claims and says he tried to save her. In the court documents it's stated, "Defendant admits that he tried to 'wake up' Ms. Brown and attempted to get her to react and that he performed CPR on her, and Defendant further admits that others unsuccessfully attempted to resuscitate Ms. Brown."

In addition to these claims, Gordon also is fighting back accusations that he ""perpetrated the fraud that he had married Bobbi Kristina" and used that misrepresentation "to control" her and "limit" her interactions with others in order to "benefit from her wealth."

Bedelia C. Hargrove, the conservator for Bobbi Kristina said earlier this summer, following her death, "Consistent with and to the letter of the civil action I initially filed on behalf of Bobbi Kristina, we will continue to pursue justice for her," adding, "We will leave no stone unturned in seeking justice for Bobbi Kristina Brown."

Bobby Kristina Brown died July 26 (<http://www.inflexwetrust.com/2015/07/26/breaking-news-bobbi-kristina-dead-at-22/>) surrounded by her family in a hospice facility. She is buried next to her mother Whitney Houston in NJ.

Source [People](http://www.people.com/article/nick-gordon-denies-causing-bobbi-kristina-death) (<http://www.people.com/article/nick-gordon-denies-causing-bobbi-kristina-death>)

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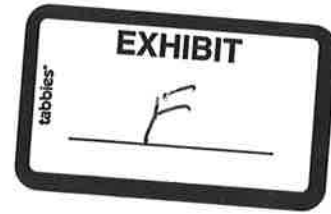
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# Dr. Phil: Bobbi Kristina partner Nick Gordon 'volatile' in TV taping

The Associated Press

Published: March 10, 2015, 11:50 am



(Courtesy: ABC News)

LOS ANGELES (AP) – Nick Gordon was “volatile” and emotionally distraught over hospitalized girlfriend Bobbi Kristina Brown during the taping of a “Dr. Phil” episode, series host Phil McGraw said.

"He said he had an enormous amount of guilt and pain" regarding Brown, McGraw recounted in an interview Monday.

The 22-year old daughter of the late Whitney Houston and Bobby Brown is fighting for her life in an Atlanta hospital after being found unresponsive Jan. 31 in a bathtub in her Georgia home.

McGraw said that Gordon entered a rehab facility immediately after the taping last week, which McGraw and the show described as an "intervention." He said that Gordon was "clearly in an altered state of consciousness. I asked him if he was sober, and he said 'No.'"

Gordon felt "it was his job to protect Krissy, as he calls her, and that he obviously had failed," and he's distressed because he's been prevented from seeing her, McGraw said.

Gordon's attorneys have said that Bobby Brown has consistently denied Gordon permission to visit her in the hospital. A lawyer for Brown said that Gordon was offered a potential opportunity if he agreed to certain conditions.

Gordon didn't discuss what happened to Bobbi Kristina Brown and wasn't asked about it for the episode airing Wednesday because it would have been inappropriate, McGraw said.

Randy Kessler and Joe Habachy, his attorneys, did not respond Monday night to requests for comment.

During the taping, Gordon veered between incoherence and sounding "normal," McGraw said. At one point, he played a Whitney Houston song on his phone and started weeping.

Asked if the chaotic encounter for TV was helpful to Gordon, McGraw replied: "It got him safely tucked away and into rehab."

Houston brought Gordon into her household as an orphan at the age of 12, raising him and her daughter after divorcing Brown in 2007. After Houston's 2012 death – also after being found in a bathtub – Gordon and Bobbi Kristina went public with their romantic relationship.

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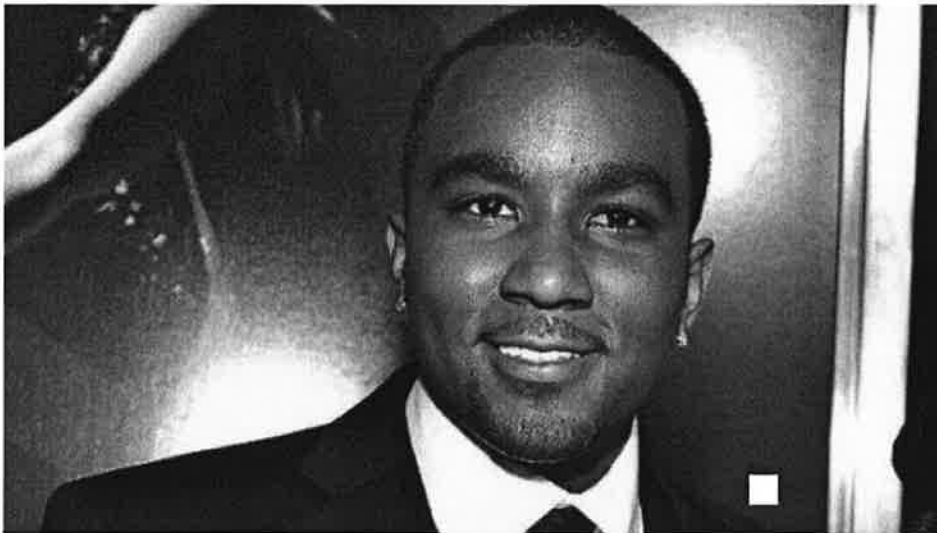
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## Nick Gordon Tweets for the First Time Since Bobbi Kristina's Death

"I will always & forever love you," he writes.

By Evelyn Diaz  
Posted: 08/17/2015 03:03 PM EDT  
Filed Under Celebrity News, Bobby Brown, Nick Gordon, Celebrity R.I.P., Bobbi Kristina Brown, Whitney Houston



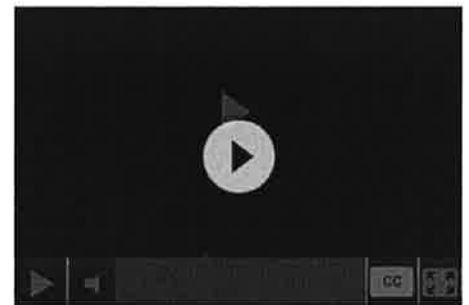
After 23 days of sabbatical from social media, **Nick Gordon** broke his silence on Monday with his first tweet since the death of his girlfriend, **Bobbi Kristina Brown**.

"I look at our pics sometimes it makes me smile sometime I cry @REALbkBrown #happymemories," he wrote. "I'm so happy/blessed that I had @REALbkBrown in my life. i will always & forever love you."

Gordon, who is being sued for wrongful death by Brown's conservator, **Bedelia Hargrove**, was not allowed to attend either of Bobbi Kristina's funerals. The 22-year-old, who passed away on July 26, was given a funeral in Georgia on August 1 and laid to rest several days later near her mother **Whitney Houston's** grave in New Jersey.

While Gordon has not been formally charged with anything related to Brown's death, he remains a "person of interest" in the police department's investigation. Brown was found facedown and unresponsive in her bathtub on January 31 and remained in a medically-induced coma for months thereafter. She never regained consciousness. According to Hargrove's lawsuit, Brown was found with her teeth knocked out and marks on her neck, which she attributes to Gordon's alleged abuse.

Gordon denies any wrongdoing, claiming instead that his girlfriend's death is the tragic result of a drug and



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# Nick Gordon's lawyers file to dismiss Bobbi Kristina wrongful death lawsuit

by theGrio | September 9, 2015 at 11:13 AM



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**O**n Tuesday, lawyers for Nick Gordon moved to dismiss the wrongful death lawsuit against Gordon for the death of Bobbi Kristina Brown, saying that the suit contained “several unsupported conclusory, untrue, criminal accusations that Defendant Nicholas Gordon committed acts that he simply did not do.”

“The recent lawsuit against Nick is slanderous and meritless. Nick has been heartbroken and destroyed over the loss of his love and it’s shameful that such baseless allegations have been presented publicly.”

Gordon’s attorney Jose Baez told *USA Today*, has engaged civil counsel and intends to defer fictitious assault against the person who loved

In the suit, Gordon is accused of having given unconscious” on the night of January 31. While the parties went out on the night in question, th argument with Ms. Brown and that he then cha

Gordon also responded to claims that he “perp an attempt “to control” her and to “benefit from that he had physically abused her.

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VIDEO Watch Nick Gordon's bizarre Dr. Phil interview

MAR. 11, 2015 | 7:08 PM | Author: EMILY | Categories: BOBBI KRISTINA DR. PHIL MCGRAW NICK GORDON REHAB



In an interview/interv... anybody" and is torn ap... However, his behavior d... rehab — is deeply conce...

Before the formal inter... scenes of him crying bet... interview room, he was overcome with emotion upon seeing his mom, Michelle Gordon.

"Mommy! Oh my gosh, oh my gosh, oh my gosh," he said tearfully. "Mommy, I'm so sorry for everything... Ok, let's do this... I'm good, I'm good, I'm good. Mom, I would never hurt anybody. I love people. I love babies. Everything!"

As Dr. Phil tried to get started, Nick interrupted to admit he had been drinking "a lot" and abusing Xanax, but claimed he's been "sober besides that." He said he's been doing that because his "pain is horrible" and his "heart hurts."

Bobbi Kristina Brown's boyfriend, Nick Gordo... ⌚ ↻



While the interview went on, Nick continued to oscillate between crying jags and trying to be composed for the discussion. In one especially bizarre part, the inebriated 25-year-old

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pointed at Dr. Phil and, while laughing, said, "Oh my gosh, I made him more famous!"

As for why he agreed to do the interview, Nick said it was to send a message to everyone who doubts his intentions.

"I want to let all you guys know I did everything possible in the world to protect them," he said between tears.

Nick also seemed to go back and forth between agreeing that rehab was a good idea and not wanting to do it, but he was ultimately convinced to go. This week, Dr. Phil told *Fox News* that was his ultimate goal — not getting to the bottom of Bobbi Kristina's medical emergency.

Dr. Phil said, "[The interview] got him safely tucked away and into rehab."

Bobbi Kristina remains in a coma with little change in her condition for the past couple of weeks. She turned 22 earlier this month.

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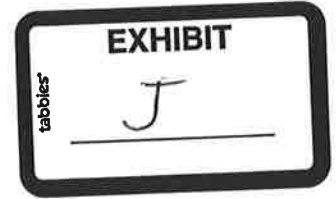
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EXCLUSIVE



# Nick Gordon got paid \$40K for teary graveside photos

By Ian Mohr

August 26, 2015 | 9:46pm



Nick Gordon and Bobbi Kristina Brown

Photo: WireImage

How much did he get per tear?

“Grieving” Nick Gordon — who was banned from girlfriend Bobbi Kristina Brown’s funeral by her dad, Bobby Brown, and is facing a wrongful-death suit in her catastrophic passing —



was paid \$40,000 for photos and video of his so-called “secret pilgrimage” to her grave, sources exclusively tell Page Six.

But the money, we hear, is going to his “legal defense fund” because Nick is “broke” and needs the funds to pay his top legal team, which includes Casey Anthony’s lawyer Jose Baez.

Teary images of Gordon visiting the grave of Whitney Houston and Brown’s daughter, who tragically died at 22, were splashed in a National Enquirer cover story Wednesday, including pics of Gordon at New Jersey’s Fairview Cemetery clutching two bouquets of roses, kissing Bobbi Kristina’s tombstone, taking cellphone photos of it and having a tearful breakdown.

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But “it was not by accident that Nick was photographed at the site,” scoffed an insider. Another source said the Enquirer paid Gordon a cool \$40,000 for the shots.

“Nick is broke,” our source said. “He can’t afford to defend himself. There was a deal for that money to go to his defense fund.” “Entertainment Tonight” licensed the video, which aired Wednesday.

Sources said Gordon, 25, visited the grave on Aug. 17 with members of his team, but tipped photographers had staked out the cemetery for two days to capture the dramatic scene.

Gordon's facing a \$10 million civil suit brought by Bobbi Kristina's conservator, which his reps blasted as "slanderous." It claims Gordon plied Bobbi Kristina with a "toxic cocktail" and "put her face down in a tub of cold water, causing her to suffer brain damage."

A rep for Gordon sniffed of his payday: "This is completely fabricated. I would also like to add, Page 6 [sic] isn't a trusted source in news." An Enquirer rep said, "The National Enquirer, more than any other publication, has been unflinching in our reporting of the mysterious circumstances surrounding the death of Bobbi Kristina Brown."

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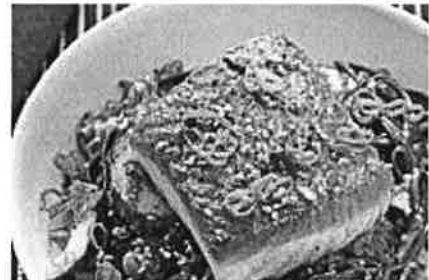
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