

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DANA BOWMAN,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 3:14-CV-3702-D
VS.	§	
	§	
SPRING FUND, LTD, et al.,	§	
	§	
Defendants.	§	

MEMORANDUM OPINION
AND ORDER

Defendants' November 11, 2014 motion for a more definite statement is denied.*


“A motion for a more definite statement under [Fed. R. Civ. P.] 12(e) is available where the pleading ‘is so vague or ambiguous that the party cannot reasonably prepare a response.’” *Conceal City, L.L.C. v. Looper Law Enforcement, LLC*, 917 F.Supp.2d 611, 621 (N.D. Tex. 2013) (Fitzwater, C.J.) (quoting Rule 12(e)). “Motions for a more definite statement are generally disfavored.” *Johnson v. BAE Sys. Land & Armaments, L.P.*, 2012 WL 5903780, at *4 (N.D. Tex. Nov. 26, 2012) (Fitzwater, C.J.) (quoting *Russell v. Grace Presbyterian Vill.*, 2005 WL 1489579, at *3 (N.D. Tex. June 22, 2005) (Solis, J.)). “When a defendant is complaining of matters that can be clarified and developed during discovery, not matters that impede [its] ability to form a responsive pleading, an order directing the plaintiff to provide a more definite statement is not warranted.” *Id.* (quoting *Brown v. Whitcraft*, 2008 WL 2066929, at *1 (N.D. Tex. May 15, 2008) (Fitzwater, C.J.)).

*Under § 205(a)(5) of the E-Government Act of 2002 and the definition of “written opinion” adopted by the Judicial Conference of the United States, this is a “written opinion[] issued by the court” because it “sets forth a reasoned explanation for [the] court’s decision.” It has been written, however, primarily for the parties, to decide issues presented in this case, and not for publication in an official reporter, and should be understood accordingly.

The court concludes that plaintiff's complaint is not so vague or ambiguous that defendants cannot reasonably prepare a responsive pleading. In fact, some of defendants' arguments are more akin to Rule 12(b)(6)-type contentions than to Rule 12(e) complaints. *See* Mot. for More Definite Statement at 6, n.8 (citing *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007)).

SO ORDERED.

December 5, 2014.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE