

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

JIM PEERA,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:09cv158-MHT
)	(WO)
THE CITY OF MONTGOMERY,)	
et al.,)	
)	
Defendants.)	

ORDER

On February 26, 2009, plaintiff Jim Peera filed a complaint against a number of defendants, including the City of Montgomery, Montgomery Mayor Bobby Bright, and several municipal employees. On March 24, 2009, the defendants filed a motion for a more definite statement. The court heard oral argument on this motion from the parties on April 16. The next day, April 17, the court granted the defendants' motion and ordered Peera "to file an amended complaint that addresses ALL the concerns raised by the court during the hearing on April 16,

2009." Order (Doc. No. 28). Peera filed an amended complaint on April 30.

This lawsuit is now before the court on the defendants' second motion for a more definite statement. The defendants "submit unto this Court that they are still unable to properly formulate a responsive pleading without knowing what causes of action Plaintiff intends to bring against named Defendants." Defs.' Mot. at 1-2 (Doc. No. 30).

Although the shadowy outlines of a claim or two are visible in Peera's amended complaint, the court fully shares in the defendants' struggle to understand the legal and factual basis for the myriad claims Peera has apparently attempted to assert. The court does not condone sloppy legal work, but nor does it wish to see legitimate claims lost due to lawyer inadequacy.

Accordingly, it is ORDERED as follows:

(1) The defendants' second motion for a more definite statement (doc. no. 30) is granted.

(2) By October 30, 2009, plaintiff Jim Peera is to file a statement that set forths, with respect to each defendant, the following:

(a) The name of the defendant.

(b) List the specific claims against that defendant.

(c) For each claim against that defendant, cite to the specific law (statute or case) that supports that claim.

(d) For each claim against that defendant, set forth the elements of that claim with supporting citations to case or cases listing those elements.

(e) For each claim against that defendant, set forth in detail the specific alleged facts that demonstrate that the defendant engaged in conduct that establishes all the elements of the claim.

Perhaps with this information, the court will be able to discern exactly what claim or claims plaintiff Peera is attempting to assert against each defendant and, thus,

will be able to discern what plaintiff needs to set forth
in an amended complaint.

DONE, this the 23rd day of October, 2009.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE