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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 09-3340 AHM (AJW _x)	Date	September 18, 2009
Title	FORD v. TRI-COUNTIES REGIONAL CENTERS		

Present: The Honorable	A. HOWARD MATZ, U.S. DISTRICT JUDGE
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Stephen Montes

Not Reported

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys **NOT** Present for Plaintiffs:

Attorneys **NOT** Present for Defendants:

Proceedings: IN CHAMBERS (No Proceedings Held)

The Court GRANTS Defendant's motion¹ for a more definite statement under Fed. R. Civ. P. 12(e) for the following reasons.

If a pleading is "so vague or ambiguous that the party cannot reasonably prepare a response," then a party "may move for a more definite statement of a pleading." Fed. R. Civ. P. 12(e). Though motions for a more definite statement are disfavored, they can be granted if "the defendant literally cannot from a responsive pleading." *Bureerong v. Uvawas*, 922 F. Supp. 1450, 1461 (C.D. Cal. 1996) (Collins, J.). A district court may "strike a pleading or make such other order as it deems just, if a complaint 'is so vague or ambiguous that a party cannot reasonably be required to frame a responsive pleading.'" *McHenry v. Renne*, 84 F.3d 1172, 1177 (9th Cir. 1996).

The Complaint is so deficient that Defendant literally cannot prepare a response. Moreover, the Complaint fails to meet the basic pleading requirements under Fed. R. Civ. P. 8 & 10. Rule 8(a)(2) requires "a short and plain statement of the claim showing the pleader is entitled to relief." Rule 8(d)(1) requires, in part, "Each allegation must be simple, concise, and direct." Rule 10(b) requires, among other things, that "[a] party must state its claims or defenses in numbered paragraphs, each limited as far as practicable to a single set of circumstances" and that "[i]f doing so would promote clarity, each claim founded on a separate transaction or occurrence . . . must be stated in a separate count"

¹Docket No. 7.

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Defendant’s Complaint is a 22-page, rambling narrative that fails to put Defendant on notice of the claim(s) alleged against it. The Complaint is full of seemingly irrelevant references to actions Defendant took against other individuals and unnecessary case citations, both of which serve to make the Complaint confusing and incoherent. The Complaint does not divide separate allegations into separate numbered paragraphs. Nor does it clearly indicate what claims Plaintiff is pursuing against Defendant.

“Although a *pro se* litigant . . . may be entitled to great leeway when the court construes his pleadings, those pleadings nonetheless must meet some minimum threshold in providing a defendant with notice of what it is that it allegedly did wrong.” *Brazil v. U.S. Dept. of Navy*, 66 F.3d 193, 199 (9th Cir. 1995).

For the foregoing reasons, the Court ORDERS Plaintiff to file an amended complaint with a more definite statement of his claims by October 5, 2009. Plaintiff’s amended complaint must state clearly and concisely what claims Plaintiff is bringing against Defendant and what factual allegations Plaintiff bases these claims upon. Plaintiff must otherwise comply with Rules 8 and 10 of the Federal Rules of Civil Procedure, including stating each factual allegation in a separate numbered paragraph and separating each cause of action into its own labeled heading. Plaintiff’s amended complaint must omit any references to Defendant’s actions against other individuals that are not directly relevant to Plaintiff’s own claims. If Plaintiff does not file an amended complaint complying with this order by October 5, 2009, his Complaint will be stricken.

No hearing is necessary. Fed. R. Civ. P. 78; L. R. 7-15.

Initials of Preparer _____ : _____
SMO