

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02824-REB-MJW

THU N. NGUYEN,

Plaintiff,

v.

ROBERT L. PITLER, et al.,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby **ORDERED** that the defendants' Motion for a More Definite Statement (**Docket No. 17**) is **granted**.

"A party can move for a more definite statement if it 'cannot formulate a responsive pleading because the factual allegations are too sparse.'" Mayers v. Harvey, 2006 WL 6336711, *1 (D. Colo. Apr. 18, 2006) (citations omitted). While motions for a more definite statement made pursuant to Fed. R. Civ. P. 12(e) are generally disfavored in light of the liberal discovery provided under the Federal Rules, such a motion may be properly granted if the Complaint is so vague or ambiguous that a defendant cannot reasonably determine the issues requiring a response. See Coffey v. McKinley County, 2009 WL 3208209, *1 (D. N.M. Sept. 11, 2009). Here, in the Complaint, plaintiff has not provided defendants with sufficient notice of the claims against them to permit them to respond. Plaintiff's Complaint is a merely formulaic recitation of the elements of her claims, and the factual allegations are too sparse. Defendants cannot be expected to formulate a response to the Complaint as it currently stands. It is thus further

ORDERED that on or before **April 9, 2010**, plaintiff shall file an Amended Complaint setting forth specific factual allegations that support plaintiff's claims.

Date: April 2, 2010
