

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 11-cv-02292-CMA-KLM

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES D. WELCH,
AMRA WELCH, as nominee/alter ego of James D. Welch,
JAMES D. WELCH, as Executive Trustee of Celestial Pursuits Trust,
CIT GROUP/EQUIPMENT FINANCING, INC., and
COLORADO DEPARTMENT OF REVENUE,

Defendants.

**ORDER REGARDING MOTION FOR MORE DEFINITE STATEMENT
AND MOTION TO STRIKE/DISMISS**

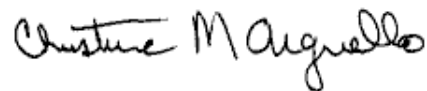
Before the Court are Defendant Welch's Motion for a More Definite Statement (Doc. # 7) and Motion to Strike/Dismiss (Doc. # 8). Upon review of these motions and the case file, the Court finds as follows:

Defendant's Motion for a More Definite Statement (Doc. # 7) is without merit. Such motions are proper where the plaintiff's pleading is "so vague or ambiguous that the party cannot reasonably prepare a response." Fed. R. Civ. P. 12(e). Here, the Court determines that the Government's Complaint (Doc. # 1) puts forward "specific, nonconclusory factual allegations," *Crawford-El v. Britton*, 523 U.S. 574. 598 (1998), which are neither vague nor ambiguous. Thus, Defendant's Motion for a More Definite Statement (Doc. # 7) is DENIED.

Similarly, Defendant's Motion to Strike/Dismiss (Doc. # 8) is also unavailing. Defendant cites *Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009), but fails to argue convincingly that the Government has not "state[d] a claim to relief that is plausible on its face." Having reviewed the Complaint (Doc. # 1) and Defendant's Motion, the Court is unable to discern any pleading deficiencies under Fed. R. Civ. P. 8 or *Iqbal*. Accordingly, Defendant's Motion to Strike/Dismiss (Doc. # 8) is DENIED.

DATED: November 01, 2011

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge