

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**SLEP-TONE ENTERTAINMENT
CORPORATION,**

Plaintiff,

v.

Case No. 8:12-cv-1440-T-30EAJ

NORMA DUNN,

Defendant.

ORDER

THIS CAUSE comes before the Court upon Plaintiff's Motion to Strike Affirmative Defenses (Dkt. 19). Defendant Norma Dunn failed to file any opposition to Plaintiff's motion and the time for doing so has now passed. Upon consideration of Plaintiff's motion and being otherwise advised in the premises, the Court concludes that the motion should be granted.

Defendant Norma Dunn is proceeding in this case *pro se*. Her answer asserts boilerplate affirmative defenses. Specifically, Dunn includes ten one-sentence affirmative defenses of: (1) failure to state a claim; (2) laches; (3) estoppel; (4) waiver; (5) fraud; (6) unclean hands; (7) statute of limitations; (8) standing; (9) failure to join indispensable parties; and (10) reservation of rights to assert additional affirmative defenses (Dkt. 14).

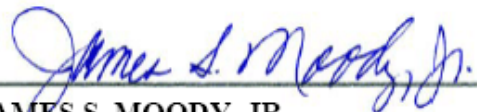
Plaintiff moves to strike Dunn's affirmative defenses for their failure to include any supporting facts. The Court agrees that the bare-bones defenses are insufficient as a matter

of law because they do not meet the general pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. Specifically, Dunn needs to allege some facts in support of her affirmative defenses.¹

It is therefore ORDERED AND ADJUDGED that:

1. Plaintiff's Motion to Strike Affirmative Defenses (Dkt. 19) is GRANTED.
2. Defendant's affirmative defenses are hereby stricken. Defendant may file amended affirmative defenses within twenty (20) days of this Order. The amended affirmative defense shall include facts sufficient to provide Plaintiff fair notice of the basis of the defense.

DONE and **ORDERED** in Tampa, Florida on March 13, 2013.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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¹ Notably, a number of these purported affirmative defenses amount to denials of the claims and therefore do not need to be asserted in the answer.