

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ALLSTATE INSURANCE COMPANY,	)	
etc.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 08 C 3949
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

MEMORANDUM

Although it is scarcely worth the trouble in this minimal Federal Tort Claims Act lawsuit, in which Allstate Insurance Company advances a subrogation claim of \$2,162.50 stemming from a motor vehicle collision, United States' Answer ¶¶2-5, 7 and 8 fail to conform to the clearly-marked-out path for obtaining the benefit of a deemed denial--see Fed. R. Civ. P. 8(b)(5) and App. ¶1 to State Farm Mut. Auto. Ins. Co. v. Riley, 199 F.R.D. 276, 278 (N.D. Ill. 2001). In the combined expectation and hope that the parties will come to their senses and settle the case on or before the scheduled October 10 initial status hearing date, however, at least for the present government counsel will not be sent back to the drawing board to reframe the Answer.



\_\_\_\_\_  
Milton I. Shadur  
Senior United States District Judge

Date: September 23, 2008