

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

NAUTILUS INSURANCE COMPANY,)	
)	
Plaintiff,)	
)	
v.)	No. 08 C 6180
)	
FILMAR, INC. OF CHICAGO d/b/a)	
NEW RITZ HOTEL, BRINKLEY)	
CLARK AND RANDY SCOTT,)	
)	
Defendants.)	

MEMORANDUM ORDER

Filmar, Inc. of Chicago ("Filmar") has filed its Answer to the Nautilus Insurance Company ("Nautilus") Complaint for Declaratory Judgment, brought against Filmar and two individual defendants. Although that response has ignored the requirement of this District Court's LR 10.1, the fact that Filmar has admitted all but one of the allegations of Nautilus' Complaint leads this Court to spare Filmar's counsel the chore of filing a new pleading that comports with that LR.

Instead Filmar's counsel is ordered to file an amendment to the Answer to cure the failure of Answer ¶ 9 to follow the roadmap marked out by Fed.R.Civ.P. 8(b)(5) as the route by which a defendant may get the benefit of a deemed denial -- in that respect, see App. ¶1 of State Farm Mut. Auto. Ins. Co. v. Riley, 199 F.R.D. 276, 278 (N.D. Ill. 2001). That amendment must

be filed on or before December 5, 2008, else Filmar will be deemed to have admitted the allegation of Complaint ¶ 9 as well.

A handwritten signature in black ink, appearing to read "Milton I. Shadur". The signature is written in a cursive style with a large initial "M".

Milton I. Shadur
Senior United States District Judge

Dated: November 24, 2008