

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

DR. JOSEPH NICOLOSI,)	
)	
Plaintiff,)	
)	
v.)	No. 09 C 3011
)	
DONELLE DADIGAN, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This Court has just received the Judge's Copy of a Complaint and a two-inch thick stack of its accompanying exhibits,¹ brought by Dr. Joseph Nicolosi ("Nicolosi") against a group of individuals and other defendants. This memorandum order is issued sua sponte because that filing is in clear violation of the standards for federal pleading.

No doubt Nicolosi (and perhaps his four listed lawyers as well) feels highly aggrieved by the conduct that he ascribes to defendants. But any such sense of grievance does not excuse the Complaint's blatant violation of the mandate for brevity and simplicity prescribed by Fed. R. Civ. P. ("Rule") 8(a):

(a) A pleading that states a claim for relief must contain:

(1) a short and plain statement of the grounds for the court's jurisdiction, unless the court already has jurisdiction and the claim needs no new jurisdictional support;

¹ With so many numbers in the exhibit sequence being missing from that stack, it is clear that the entire set is even more bulky.

(2) a short and plain statement of the claim showing that the pleader is entitled to relief;

and

(3) a demand for the relief sought, which may include relief in the alternative or different types of relief.

Nicolosi's prolix nine-count, 226-paragraph Complaint flouts that Rule through its impermissible detailed pleading of evidence, a violation compounded by the inclusion of the bulky exhibits.²

Accordingly both the Complaint and its exhibits are stricken from the file (although the current system of electronic filing spares the Clerk's Office the excessive use of filing space that would be involved if paper filing still prevailed, that unfortunately does not spare this Court, which receives the chambers copies of pleadings in paper form). This order is issued without prejudice to Nicolosi's filing of a suitable Amended Complaint on or before June 8, 2009, although in that respect his counsel must pay closer attention to the required jurisdictional allegations as to diversity than Complaint ¶¶6, 9 and 12 now reflect.



Milton I. Shadur
Senior United States District Judge

Date: May 22, 2009

² It is possible, of course, that Nicolosi's lawyers are more accustomed to working in the Illinois state court system than in this federal court. But if such is the case, it still does not excuse what has been submitted here.