

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

COACH, INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 10 C 3108
)	
CITY OF CHICAGO, etc., et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Xiao Hua Yang ("Yang") has filed her Answer to the Complaint brought by Coach, Inc. and Coach Services, Inc. (collectively "Coach") that seeks to assert liability against Yang and her codefendants for the alleged knock off of Coach products in violation of its intellectual property rights. This memorandum order is issued sua sponte to address two problematic aspects of the Answer.

To begin with, Yang's counsel has disregarded the requirements of this District Court's LR 5.2, so that an evaluation of her legal position forces a laborious side-by-side review of the Complaint and her Answer. That alone justifies striking the Answer, and this Court so orders (without prejudice to Yang's repleading, of course).

As for the substance of the Answer, it follows the briefest of admissions of Coach's allegations (Answer ¶¶1-4) with either flat-out denials of other allegations or a set of assertions that fail to satisfy the clear requirements of Fed. R. Civ. P.

("Rule") 8(b)(5) to get the benefit of a deemed denial (see Answer ¶¶5-7, 9, 10, 12-17, 19-27, 28A-D and G-M, 30, 67, 68, 75, 83, 93 and 94)--and as to the latter flaw, see App'x ¶1 to State Farm Mut. Auto. Ins. Co. v. Riley, 199 F.R.D. 276, 278 (N.D. Ill. 2001). Quite apart from the question whether proper disclaimers (or, for that matter, proper denials) can be advanced by Yang in conformity with the requirements of Rule 11(b), a subject on which this Court is not in a position to comment, the Answer must be redone.

Accordingly the Answer is stricken in its entirety. Leave is of course granted to file a proper Amended Answer that cures the problems identified here on or before July 9, 2010. No charge is to be made to Yang by her counsel for the added work and expense incurred in correcting counsel's errors. Yang's counsel are ordered to apprise their client to that effect by letter, with a copy to be transmitted to this Court's chambers as an informational matter (not for filing).



Milton I. Shadur
Senior United States District Judge

Date: June 25, 2010