

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

GROUP 1 SOLUTIONS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 10 C 6138
	)	
TED STEINBRECHER,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

Ted Steinbrecher ("Steinbrecher") has filed his Answer and an affirmative defense ("AD") to the Complaint brought against him by Group 1 Solutions, Inc. ("Group 1"). This memorandum order is issued sua sponte to address some problematic aspects of that responsive pleading.

To begin with, Steinbrecher's counsel has not complied with this District Court's LR 10.1. Its purpose--facilitating the ability of the reader, whether opposing counsel or this Court, to determine what is and what is not in dispute by looking at a single document--is obvious. And besides that, it is after all a court order. Accordingly the existing responsive pleading is stricken, but with leave of course being granted to file an appropriate replacement. To that end, some specific items to which Steinbrecher's counsel should give special attention will be mentioned here.

First, Answer ¶1 flouts the mandate in Fed. R. Civ. P. ("Rule") 8(b)(1)(B) that every allegation must get a response.

And of course that failure is not helped by counsel's "speaks for itself" assertion--see App'x ¶3 to State Farm Mut. Auto. Ins. Co. v. Riley, 199 F.R.D. 276, 278 (N.D. Ill. 2001).

Next, Answer ¶2's cavil as to Group 1's principal place of business is at odds with Answer ¶5, which admits the allegations in Complaint ¶5--allegations that conform to the Supreme Court's recent confirmation of the principal-place-of-business test. Hence Complaint ¶2's allegation must be admitted as well.

All other problems noted in this Court's threshold examination<sup>1</sup> relate to Steinbrecher's flawed invocation of Rule 8(b)(5), as to which counsel should read App'x ¶1 to State Farm. In that regard, Answer ¶¶16, 20, 25, 32, 48, 50 and 56-58 need to be redone (while also deleting the meaningless demand for "strict proof" in all but two of those paragraphs).

In sum, the entire Answer and its AD are stricken, but with leave granted to file a self-contained amended responsive pleading on or before November 15, 2010. Steinbrecher's counsel is also ordered to comply with App'x ¶8 to State Farm.



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Milton I. Shadur  
Senior United States District Judge

Date: November 1, 2010

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<sup>1</sup> This may not be exhaustive, for Group 1's counsel may note other claimed defects.