

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

ERNEST LOPEZ, SR., et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 15 C 2405
)	
MIKE KELLEY, in his official capacity as SHERIFF of WILL COUNTY, ILLINOIS,)	
et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

All of the defendants in this multiparty action have filed a collective Answer to the Complaint brought against them by four members of the Lopez family. This Court commends that collective filing as the best and most efficient way to apprise any reader (such as this Court) of the respects in which the parties so represented share common cause and the respects in which their interests may diverge.¹

But having done so, defense counsel has forgotten that every defendant must respond to every allegation in a complaint.² In this case a whole set of paragraphs (Answer ¶¶ 17 through 29, other than Answer ¶ 25) speak separately about defendant Deputies Beckman and Kuzma but

¹ Indeed, when in some instances the same counsel representing multiple defendants have filed a separate answer for each of them, this Court has been critical on that score because that practice forces the reader to read multiple (often lengthy) responses to make the determinations described in the text.

² There is one exception: In situations in which the plaintiff or plaintiffs advance allegations (say in a different count) that are asserted against fewer than all of the defendants, there is no reason for the untargeted defendant or defendants to respond to that count.

are silent as to all other defendants, so that Fed. R. Civ. P. 8(b)(1)(B) has not been fully complied with.

Accordingly defense counsel must return to the drawing board to clear up that omission (that can be done through an amendment to the existing Answer, rather than by having to file a fully self-contained Amended Answer). Defense counsel are granted until June 22, 2015 to file such an amendment.



Milton I. Shadur
Senior United States District Judge

Date: June 9, 2015