

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FRANKENMUTH MUTUAL INS. CO.,)	
)	
Plaintiff,)	
)	1:11-cv-455- SEB-DKL
vs.)	
)	
SOUTH EAST STREET, LLC, et. al,)	
)	
Defendants.)	

ENTRY STRIKING FILINGS

(Docket No. 40)

On June 14, 2011, Defendants John Christian Freter, Lauren Magee Hanley, Harold T. Hanley, IV, Brittany Magee, Lindsey, Manck, Ken Nowakowski, Johnathan Swain, and Virgil Whitmyer, by counsel, filed a document titled “Mavris Arts Event Center Budget Guide” (at Docket No. 40). That document is stricken because it does not comply with the rules and formalities of filing in federal court.

It should be common knowledge among lawyers practicing in this Court that all filings must bear a proper caption, cause number, title, some language or text explaining what the filing is, a proper Rule 11 signature, and a certificate of service, if appropriate. Fed. R. Civ. P. 5(d)(1), Fed. R. Civ. P. 11, Local Rule 5.10, Local Rule 5.11, CM-ECF Policy Nos. 11, 13, and 14, and Electronic Filing Instructions – Civil Cases (available at www.insd.uscourts.gov). Unfortunately, improper filings reflecting an inattentiveness and neglect on the part of attorneys are on the rise and the Court is receiving with increasing frequency a whole host of exhibits, affidavits, proof of service “green cards,” and other documents unaccompanied by any motion, notice, or pleading.


Defendants’ filing at Docket No. 40 is not properly before the Court because it is a “loose”

exhibit filed without any a “main” or “foundation” document (i.e., a motion, notice, or pleading) signed by counsel in accordance with Fed. R. Civ. P. 11. Local Rule 5.10, CM-ECF Policy No. 13, Fed. R. Civ. P. 11, Local Rule 5.1, Local Rule 5.11, and CM-ECF Policy No. 14.

The fact that documents are now required to be filed electronically does not excuse a party’s (or a lawyer’s) compliance with the rules and formalities of proper filing in federal court. Defendants shall re-file their “Mavris Arts Event Center Budget Guide” in compliance with all applicable federal and local rules on or before June 20, 2011. Counsel for Defendants should consult with this Court’s Courtroom Deputy, Pam Schneeman, at 317-229-3602 for further assistance.

IT IS SO ORDERED.

Date: 06/16/2011


SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

Copies to:

Brian R. Drummy
BUNGER & ROBERTSON
bdrummy@lawbr.com

Joseph P. Maguire
NORRIS CHOPLIN & SCHROEDER LLP
jmaguire@ncs-law.com

William A. Hasbrook
RUCKELSHAUS KAUTZMAN
BLACKWELL BEMIS & HASBROOK
wah@rucklaw.com

John F. McCauley
BINGHAM MCHALE LLP
jmccauley@binghammchale.com

Jennifer Marie Johnson
ICE MILLER LLP
jennifer.johnson@icemiller.com

W. Scott Montross
MONTROSS MILLER MULLER
MENDLESON & KENNEDY
smontross@4mklaw.com

Meaghan E. Klem
BINGHAM MCHALE LLP
mklem@binghammchale.com

James L. Petersen
ICE MILLER LLP
james.petersen@icemiller.com

Richard S. Pitts
rpitts@arlingtonroe.com

Jason Ruskin Reese
WAGNER REESE & CROSSEN, LLP
jreese@injuryattorneys.com

Stephen Hensleigh Thomas
GERLING LAW OFFICES
steve@gerlinglaw.com

Dane L. Tubergen
HUNT SUEDHOFF KALAMAROS LLP
dtubergen@hsk-law.com