

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JAMES SPENCER MCLEAN, ET AL.

CIVIL ACTION

VERSUS

NUMBER 15-40-JWD-SCR

BIG DOG GROUP, LLC, ET AL.

RULING MOTION TO COMPEL

Before the court is the Plaintiffs' Motion to Compel Answer of Defendant Ronald Todd Zeigler filed by the James Spencer McLean and Mary Madeline Hebert McLean. Record document number 45. No opposition or other response has been filed.

Plaintiffs filed this motion seeking to compel defendant Ronald Todd Zeilger to admit or deny the plaintiffs' allegations in their Complaint as required by Rule 8, Fed.R.Civ.P.¹ Plaintiffs argued that the defendant is using his pleadings to make slanderous statements against them and prevent them from resolving their claims.

Plaintiffs sought similar relief in their Motion to Strike Pleading "Response to Civil Suit" and Motion to Strike Defendant

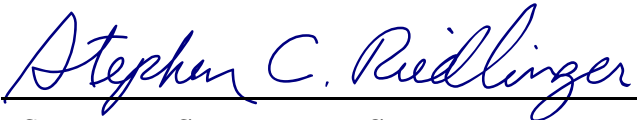
¹ Although the plaintiffs titled their motion as a Motion to Compel, the plaintiffs are not seeking to compel disclosures or discovery under Rule 37, Fed.R.Civ.P. Thus, it is unclear what authority the plaintiffs are relying on. Because a pro se plaintiffs' pleadings are generally held to less stringent standards than formal pleadings drafted by lawyers, *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972), the court will address the substance of the motion.

Ronald Todd Zeigler's Defendant Response.² In the rulings on these motions, the court determined that the defendant's original Response complied with Rule 8(a)(2) and (3).³ The court also found that the Defendant Response to the Plaintiffs' Proposed Amended Complaint was insufficient and allowed defendant Zeigler 21 days from the date of the ruling (which was September 8, 2015) to file an answer which complies with Rule 8.⁴ Defendant Zeigler has not filed an answer to the Plaintiffs' Proposed Amended Complaint.

Because the plaintiffs have not asserted any new arguments or requested different relief from their previously-filed motions, this motion is redundant.

Accordingly, the Plaintiffs Motion to Compel Answer of Defendant filed by the James Spencer McLean and Mary Madeline Hebert McLean is denied as moot.

Baton Rouge, Louisiana, October 14, 2015.


STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE

² Record document number 9 and 44, respectively.

³ Record document number 48.

⁴ Record document number 49. The Ruling on Motion to File Amended Complaint directed the clerk of court to file the Plaintiffs' Proposed Amended Complaint, which became record document number 50.