

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

**PREMIUM STANDARD FARMS, LLC.,** )  
**f/k/a Premium Standard Farms, Inc., f/k/a** )  
**PSF Group Holding, Inc.,** )

**Plaintiff,** )

**vs.** )

**Case No. 09-0699-CV-W-GAF**

**TRAVELERS PROPERTY & CASUALTY** )  
**COMPANY OF AMERICA, f/k/a The** )  
**Travelers Indemnity Company of Illinois, et al.,** )

**Defendants,** )

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**TIG INSURANCE COMPANY, f/k/a** )  
**Transamerica Insurance Company and as Sole** )  
**Shareholder of TIG Indemnity Company,** )

**Third-Party Plaintiff,** )

**vs.** )

**TRAVELERS PROPERTY CASUALTY** )  
**COMPANY OF AMERICA, f/k/a The** )  
**Travelers Indemnity Company of Illinois, et al.,** )

**Third-Party Defendants.** )

**ORDER**

Presently before the Court are Plaintiff/Counter-defendant Premium Standard Farms, LLC.'s ("PSF") Motion to Strike or, Alternatively, for More Definite Statement of Defendant TIG Insurance Company's ("TIG") Affirmative Defenses (Doc. #29) and Motion to Dismiss or, Alternatively, for More Definite Statement of TIG's Counterclaims (Doc. #31). PSF argues TIG's affirmative defenses and counterclaims lack the requisite plausibility standard required under Fed. R. Civ. P.

12 and *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007). (Doc. ##30, 32). TIG opposes. (Doc. ##66, 68).

When viewing TIG's pleading, including the documents and things encompassed by it, in its entirety, TIG has stated plausible affirmative defenses and counterclaims. *See Braden v. Wal-Mart Stores, Inc.*, – F.3d –, No. 2009 WL 4062105, at \*6 (8th Cir. Nov. 25, 2009) (holding that pleadings should be read in their entirety and “not parsed piece by piece to determine whether each allegation, in isolation, is plausible”). However, the Court does find that TIG's First and Seventh Affirmative Defenses are redundant, as both allege PSF has failed to state a claim upon which relief may be granted. For these reasons, PSF's Motion to Strike TIG's Affirmative Defenses (Doc. #29) is GRANTED in part and DENIED in part and TIG's Seventh Affirmative Defense is STRICKEN. Additionally, PSF's Motion to Strike TIG's Counterclaims (Doc. #31) is DENIED.

**IT IS SO ORDERED.**

s/ Gary A. Fenner

Gary A. Fenner, Judge  
United States District Court

DATED: December 14, 2009