

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

FEDERAL INSURANCE COMPANY,)
)
Plaintiff,)
)
v.)
)
INDECK POWER EQUIPMENT)
COMPANY, et al.,)
)
Defendants.)

Case No. CIV-15-491-D

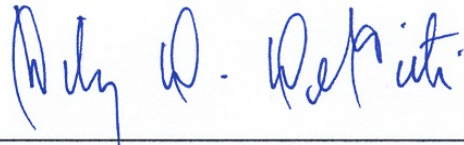
ORDER

Plaintiff seeks a declaration that it has no duty to defend or indemnify Defendant Indeck Power Equipment Company and Defendant Glenn Briggs & Associates under certain insurance policies issued by Plaintiff. In support of its action, Plaintiff attaches, in their entirety, all thirteen policies at issue [Doc. Nos. 33-4 – 33-16]. This results in Plaintiff’s Third Amended Complaint, with accompanying exhibits, totaling over 1,000 pages in length.

Rule 8(a)(2) requires that a complaint contain “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). Rule 8(d)(1) addresses how to state allegations supporting a claim: “Each allegation must be simple, concise, and direct.” Fed. R. Civ. P. 8(d)(1). “Taken together, Rules 8(a) and (d)(1) underscore the emphasis placed on clarity and brevity by the federal pleading rules.” *Brooks v. Garfield County Jail*, No. CIV–14–919, 2014 WL 6682338,

at *5 (W.D. Okla. Nov. 25, 2014). While Plaintiff's Complaint, in itself, meets this standard, its attachment of voluminous evidentiary exhibits does not. It is unfathomable, and Plaintiff does not contend, that each page of the policies attached to its Complaint is relevant to this suit and requires review. Indeed, Plaintiff's Complaint only references certain *clauses* contained in each policy in support of its contentions. Plaintiff's attachment of voluminous exhibits to its Complaint constitutes a violation of Rule 8, as well as an excessive burden on the Court's resources and time. Accordingly, Exhibits 4 through 16 of Plaintiff's Third Amended Complaint are **STRICKEN** and Plaintiff is directed to, by **January 8, 2016**, re-file its Third Amended Complaint and attach only such excerpts of those exhibits that are relevant to the issue(s) under consideration. To the extent a more extensive documentary record might become necessary in connection with future proceedings, relevant documentary evidence may be submitted at that time within the parameters established by LCvR 7.1(n).

IT IS SO ORDERED this 22nd day of December, 2015.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE