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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH ANDREW HYLKEMA,)	
)	CASE NO. C11-0211-MAT
Plaintiff,)	
)	
v.)	
)	ORDER DENYING MOTION TO
ASSOCIATED CREDIT SERVICE INC.,)	STRIKE AFFIRMATIVE DEFENSES
etc.,)	
)	
Defendants.)	
_____)	

15 Plaintiff filed a Motion to Strike Affirmative Defenses (Dkt. 11) pursuant to Federal
16 Rule of Civil Procedure 12(f), which allows the Court to “strike from a pleading an insufficient
17 defense or any redundant, immaterial, or scandalous matter.” Fed. R. Civ. P. 12(f). He
18 requests an order striking all of defendants’ affirmative defenses for failure to plead any or
19 sufficient facts in support, and without leave to amend on the grounds of legal insufficiency and
20 futility. However, in addition to objecting to plaintiff’s motion to strike (Dkt. 13), defendants
21 submitted an amended answer and affirmative defenses containing sufficient facts in support of
22 the affirmative defenses raised (Dkt. 12). Defendants did not require leave of court to file the

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01 amended pleading given that they filed it within twenty-one days after service of their original
02 pleading. Fed. R. Civ. P. 15(a). Considering the affirmative defenses as raised in the
03 amended pleading, the Court finds no basis for plaintiff's motion to strike. Plaintiff's Motion
04 to Strike Affirmative Defenses (Dkt. 11) is, accordingly, DENIED.

05 DATED this 24th day of August, 2011.

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08 Mary Alice Theiler
09 United States Magistrate Judge
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