



1 from those against King County. For the reasons set forth in defendants' opposition to the motion  
2 (*see* Dkt. 138), plaintiff's contentions regarding defendants' representation are wholly without  
3 merit and frivolous. Nor does the Court see any need or justification for bifurcating plaintiff's  
4 claims. Plaintiff's motion (Dkt. 132) is DENIED.

5 (2) Defendants filed a 12(f) Motion to Strike or in the Alternative 41(b) Motion to  
6 Dismiss plaintiff's amended complaint. (Dkt. 134.) Defendants object to the inclusion of thirty-  
7 nine individual King County employees and to the addition of ninety-five pages beyond the  
8 original complaint. Defendants assert that, in his December 5, 2017 Order, Judge Thomas S. Zilly  
9 granted leave to amend only with the names of the sixteen King County Department of Adult and  
10 Juvenile Detention (DAJD) transport officers identified in defendants' supplemental discovery  
11 responses. (*See* Dkt. 76.) They argue the addition of the numerous new defendants prejudices  
12 their ability to coordinate a defense and imposes unnecessary delay, and that the 116-page pleading  
13 fails to comply with either the narrow scope of the order allowing the amendment or the "short  
14 and plain statement" provided for under Federal Rule of Civil Procedure 8(a)(2). Defendants ask  
15 that the Court strike, pursuant to Rule 12(f), either the amended complaint in its entirety or those  
16 portions that do not pertain to the sixteen DAJD transport officers, or dismiss this case pursuant to  
17 Rule 41(b) for failure to comply with the Court's order.

18 Judge Zilly's Order did not limit plaintiff to identifying sixteen transport officers. (*See*  
19 Dkt. 76 at 3 ("Plaintiff has moved for leave to amend to identify the Doe defendants, which  
20 presumably include the custody or transport officers, supervisors, and health service personnel  
21 involved in the incident on November 21, 2016[.]") and 4 (granting plaintiff's motion for leave to  
22 identify "the Doe defendants").) Defendants do not, therefore, establish plaintiff's failure to  
23 comply with the Court's order. Nor do defendants accurately depict the length of the amended

1 complaint. Although accompanied by many attachments, the pleading is, by itself, sixty-two pages  
2 in length. (See Dkt. 79.) Moreover, although lengthy, the Court finds leeway appropriate in light  
3 of plaintiff's pro se status. The Court further declines to impose any additional delay by requesting  
4 the submission of a shorter and/or revised second amended complaint. For these reasons,  
5 defendants' motion to strike or dismiss (Dkt. 134) is DENIED.

6 (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for  
7 defendants, and to the Hon. Thomas S. Zilly.

8 DATED this 21st day of May, 2018.

9  
10   
11 \_\_\_\_\_  
12 Mary Alice Theiler  
13 United States Magistrate Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23