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MIDDLE DISTRICT OF GEORGIA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

APR -3 1995
Tonna S. Phillips
DEPUTY CLERK
MIDDLE DISTRICT OF GEORGIA

STEVEN SCHMIDT,

Plaintiff,

VS.

JOHN DOE a/k/a E.T.HOWELL and
CREDIT BUREAU OF ATHENS, INC.,

Defendants.

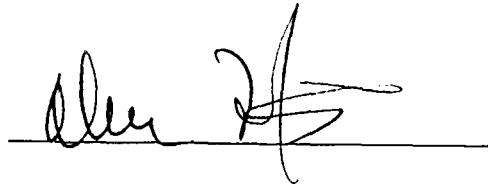
CIVIL ACTION

NO. 95-6-ATH(Df)

ORDER

Before the court are Defendants' motion for a more definite statement and motion to strike pursuant to Rules 12(e) and 12(f) respectively. The court has reviewed paragraph 9(C) of Plaintiffs complaint and finds that it meets the liberal pleading requirements of Rule 8(a). Under the framework of the Federal Rules of Civil Procedure, a plaintiff does not have to reveal the facts underlying his claim or define the issues to be litigated until he has an opportunity to engage in discovery. See, *genera//y*, C. Wright , A. Miller & M. Kane, Federal Practice and Procedure, § 1376, p. 592 (1990). Plaintiffs allegation contains enough information for Defendants to file a responsive pleading. Responding in accordance with Rule 8(b) will not prejudice Defendants in the event they make a motion for summary judgment. Accordingly, Defendants' motions for a more definite statement and to strike are hereby **DENIED**.

SO ORDERED, this 3 day of April, 1995.



DUROSS FITZPATRICK, JUDGE
UNITED STATES DISTRICT COURT

DF/mcb

ENTERED ON DOCKET

April 3, 1995
Gregory J. Leonard, Clerk

by Donna Phillips
Deputy Clerk