FILED
M. June 24 1969
James R. Cooney, Clerk, U. S. Court
By Myra Barton
DEPUTY

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

SAMUEL R. POTTER	)	
	)	
V.	)	CIVIL ACTION NO. 6329
	)	
FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL	)	

ORDER DENYING MOTION FOR MORE DEFINITE STATEMENT

Rule 8(a) of the Federal Rules of Civil Procedure provides:

> Claims for Relief. A pleading which sets forth a claim for relief, whether an original claim, counter-claim, or third-party claim, shall contain *** (2) a short and plain statement of the claim showing that the pleader is entitled to relief. ***

Motions for more definite statements are not favored. 1 A Barron and Holtzoff, Federal Practice and Procedure, Sec. 362, page 434.

Compliance with Rule 8 should not expose a party to a motion under Rule 12(e). Detailed information as to the factual claims and legal contentions of parties may be secured by the simple and expeditious methods provided in Rules 16 and 26-37 of the Federal Rules of Civil Procedure. 2 Moore, Federal Practice ¶12.17, pp. 2283-84; 4 Moore, Federal Practice ¶33.17, pp. 2343-64. See also Mitchell v. E-Z Way Towers, Inc., 269 F.2d 126, 132 (C.A. 5th Cir. 1959); Wycoff v. Nichols, 32 F.R.D. 369 (W.D. Mo. 1962); Sopkin v. Missouri National Life Insurance Company, 222 F.Supp. 984 (W.D. Mo. 1963).

It is therefore

ORDERED that the motion for a more definite statement of plaintiff's complaint filed by the defendant, Johns-Manville Products Corporation, be, and the same is hereby overruled.

Civ. Order Book
Vol 35 Page 127

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SIGNED and ENTERED this 24th day of June, 1969.

Wm. Wayne Justice

UNITED STATES DISTRICT JUDGE

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