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              IN THE UNITED STATES DISTRICT COURT
            FOR THE NORTHERN DISTRICT OF ILLINOIS
                       EASTERN DIVISION

DAVID GARCIA, etc.,                    )
                                       )
               Plaintiff,              )
                                       )
      v.                               )    No.  06 C 4340
                                       )
CITY OF CHICAGO, et al.,               )
                                       )
               Defendants.             )
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MEMORANDUM

City of Chicago ("City") has filed its Answer to the Second

Amended Complaint ("SAC") in this action, brought by three

plaintiffs against City and several of its police officers to

redress the claimed violation (1) of plaintiffs' federal

constitutional rights (invoking 42 U.S.C. §1983 for that purpose)

and (2) of related rights under Illinois state law. This

memorandum--not a memorandum order--is issued sua sponte.

This Court is all too frequently compelled to issue sua

sponte orders or opinions to address pleading flaws of which many

lawyers are either unaware or as to which such lawyers appear to

have chosen to ignore some fundamental principles applicable to

responsive pleadings--a phenomenon whose regrettable frequency of

occurrence finally led to the issuance and publication of an

Appendix to one of its opinions identifying several of the most

frequent errors in that respect (State Farm Mut. Auto. Ins. Co.

v. Riley, 199 F.R.D. 276, 278 (N.D. Ill. 2001)). That being so,

it seems only fair to give recognition to a responsive pleading

that goes the other way--that appears to be properly meticulous

in its adherence to the operative standards of notice pleading

that apply to defendants as well as plaintiffs, expressly marking

out the defendant's factual and legal positions in a way that

apprises both opposing counsel and this Court as to the issues

that are and those that are not in controversy. That certainly

appears to be the case with City's Answer here, and this Court

commends City's counsel for the careful and thorough pleading

that he has tendered.[1]

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Milton I. Shadur
Senior United States District Judge

Date: December 3, 2007

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[1] This Court hastens to add that it would maintain an open
mind if plaintiffs' counsel were to point out some flaw in the
Answer that this Court has not itself noted.