

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

MARY E. SABOL, et al., etc.,)
)
 Plaintiffs,)
)
 v.) No. 08 C 5945
)
WALTER PAYTON COLLEGE PREPARATORY)
HIGH SCHOOL, et al.,)
)
 Defendants.)

MEMORANDUM ORDER

This Court has just received two Answers to the First Amended Complaint ("FAC") in this action, one filed on behalf of Ellen Estrada and Dr. Pamela Randall and the other on behalf of the City of Chicago Board of Education ("Board") and Arne Duncan. Each of those Answers has been filed by the same office, that of the Board's General Counsel.

Regrettably that office has seen fit to burden plaintiffs' counsel and this Court with separate documents aggregating 63 pages. But a moment's thought would have caused counsel to realize that such duplication is not only unnecessary but also inconsiderate. In the federal system of notice pleading (applicable to defendants and plaintiffs alike), one important aspect of a multidefendant case is the need for the adversary and the court to determine readily all of the areas in which defendants have common cause as well as those on which their responses differ (and why). To compel the reader to wade through two full sets of paragraphs in response to the 92-paragraph FAC,

when that process requires a page-by-page, back-and-forth examination of a 29-page response and a separate 34-page response, is a thankless as well as unnecessary task.

Accordingly both current Answers are stricken. This is of course without prejudice to the filing of a single Amended Answer on behalf of the four defendants, which must be tendered on or before December 31.



Milton I. Shadur
Senior United States District Judge

Date: December 17, 2008