

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

**COOK COUNTY REPUBLICAN PARTY and)
CHICAGO REPUBLICAN PARTY,)**

Plaintiffs,)

v.)

Case No. 16 C 6598

**BOARD OF ELECTION COMMISSIONERS)
FOR THE CITY OF CHICAGO, et al.,)**

Defendants.)

MEMORANDUM ORDER

Yesterday this Court issued its memorandum opinion and order (the "Opinion") that granted the motion by the Cook County Republican Party and Chicago Republican Party for a preliminary injunction in this action that it has brought against the Board of Election Commissioners for the City of Chicago and its co-defendants Frances Sapone ("Sapone") and Sammy Tenuta ("Tenuta"), with the latter two being rejected as Republican ward committeemen in the Opinion because their pretense to that post violated plaintiffs' freedom of association rights under the First Amendment as incorporated by the Fourteenth Amendment.¹ This morning the delivery of filings to this Court's chambers in cases assigned to its calendar included a pile of documents from counsel for Sapone and Tenuta, comprising Dkt. Nos. 44 through 44-8 plus printouts of "Fastcase" reproductions of a substantial number of Illinois appellate decisions.

¹ This brief summary description must not be taken as a total statement of the reasoning and results of this Court's Opinion -- it is intended solely as a thumbnail reference.

But that purported Sapone-Tenuta Answer does total violence to the nature and function of responsive pleadings as mandated in Fed. R. Civ. P. ("Rule") 8(b), particularly Rule 8(b)(1):

- (1) In General. In responding to a pleading, a party must:
 - (A) state in short and plain terms its defenses to each claim asserted against it; and
 - (B) admit or deny the allegations asserted against it by an opposing party.

"Short and plain terms" indeed -- just where defense counsel derived his bizarre notion as to the nature of federal pleading is a mystery. This Court strikes sua sponte the entire package of documents referred to in the opening paragraph of this memorandum order as totally noncompliant with the Rules.



Milton I. Shadur
Senior United States District Judge

Date: August 3, 2016