

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

ROBERT M. BROWN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 10-2606-WEB-KGG
)	
THE UNIVERSITY OF KANSAS, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

ORDER

Before the Court is Plaintiff’s Motion to Strike Portions of Defendant the University of Kansas School of Law’s Answer (Doc. 27). Defendant School of Law’s Answer does not include specific admissions/denials to the factual allegations enumerated in Plaintiff’s Complaint. (*See* Doc. 24.) Rather, along with various affirmative defenses, the Answer merely includes the following “General Denial”: “The University of Kansas School of Law is not a person or separate legal entity capable of suing or being sued, and therefore denies each and every allegation contained in plaintiff’s complaint.” (*Id.*) The Court finds this to be insufficient and not within the spirit of Fed.R.Civ.P. 8 and 9.

The Court further notes, however, that because Defendant School of Law filed a Motion to Dismiss (Doc. 25), which raises the same legal issue as its

“General Denial,” it was unnecessary for this Defendant to file an Answer. As such, Plaintiff’s motion is **GRANTED**. Defendant is further ordered to file an Amended Answer with the appropriate admissions and denials should the District Court’s deny Defendant’s Motion to Dismiss (Doc. 25). Such Amended Answer shall be filed within 14 days of the District Court’s ruling on its Motion to Dismiss.

IT IS SO ORDERED.

Dated at Wichita, Kansas, on this 17th day of November, 2011.

S/ KENNETH G. GALE
Kenneth G. Gale
United States Magistrate Judge