

Amend Local Rule 9

The section of LR 9.1 now reads:

LR 9.1 Special Pleadings.

All pleadings which allege violations of the Truth-in-Lending Act, Regulation Z, RICO, and other similar statutes, whether federal or state, shall specifically state each alleged violation. If the pleading fails to comply with this Rule, upon motion duly made by any party to the proceeding, such pleading shall be dismissed without prejudice by the Court; provided, however, the party alleging such violation shall have ten (10) days from the date of the order in which to amend the pleading to conform with this Rule, or to inform the Court by written response to the motion why it should not be granted. For the purposes of this Rule, it shall not be necessary for the movant to file a brief supporting the motion, but it shall be sufficient if the moving party points out the non-compliance with this Rule. In all actions asserting a claim under RICO, the party filing the RICO claim must, upon filing, also file a RICO statement in compliance with this Court's Standing Order of October 2, 1989. The RICO STATEMENT is included in the Appendix of Forms to this section of these Local Rules.

The rule is amended to read:

LR 9.1 Special Pleadings.

All pleadings which allege violations of the Truth-in-Lending Act, Regulation Z, RICO, and other similar statutes, whether federal or state, shall specifically state each alleged violation. If the pleading fails to comply with this Rule, upon motion duly made by any party to the proceeding, such pleading shall be dismissed without prejudice by the Court; provided, however, the party alleging such violation shall have fourteen (14) days from the date of the order in which to amend the pleading to conform with this Rule, or to inform the Court by written response to the motion why it should not be granted. For the purposes of this Rule, it shall not be necessary for the movant to file a brief supporting the motion, but it shall be sufficient if the moving party points out the non-compliance with this Rule. In all actions asserting a claim under RICO, the party filing the RICO claim must, upon filing, also file a RICO statement in compliance with this Court's Standing Order of October 2, 1989. The RICO STATEMENT is included in the Appendix of Forms to this section of these Local Rules.

All other sentences of the rule will remain unchanged. Change is in effect December 1, 2009.
