

IN THE CIRCUIT COURT OF COLBERT COUNTY, ALABAMA

JOHN R. BENN,

*

Plaintiff,

*

v.

*

Case Number: CV-2002-184

ROBERT NOVAK,

*

Defendant.

*

MOTION TO STRIKE UNDER ARCP 12(f)

Comes now the Plaintiff John Benn and pursuant to ARCP Rule 12(f) moves to strike the following paragraphs from Defendant's Answer the same being insufficient defenses and/or otherwise containing immaterial, impertinent or scandalous matters.

1. Strike Paragraph 37.
2. Strike Paragraph 25.

Wherefore, Plaintiff prays that the Court will enter an order pursuant to ARCP 12(f) striking these paragraphs from Defendant Novak's Answer.

Date

John R. Benn BEN009/ASB-0868-B23J
Pro se
104 West Third Street
Sheffield, AL 35660
256-386-7685

CERTIFICATE OF SERVICE

I, the undersigned attorney, do hereby certify that, prior to or immediately after filing the foregoing with the Court, I mailed U.S. Mail, postage prepaid, or delivered by hand a copy to:

Mr. Robert Novak
1550 Sunrise Highway
Copaigue, New York 11726

Date: _____

John R. Benn