

STATE OF MAINE
CUMBERLAND, ss

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-16-465 ✓

GALE KURTZ,

Plaintiff

v.

PORTLAND STAGE COMPANY,

Defendant

ORDER ON DEFENDANT'S
MOTION FOR A MORE
DEFINITE STATEMENT

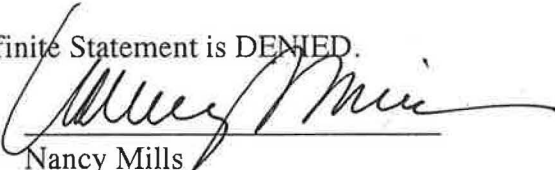
Before the court is defendant's motion for a more definite statement of the allegations in plaintiff's complaint. M.R. Civ. P. 12(e). Plaintiff alleges: count I, violation of agreement of settlement and release; count II, slander, libel, and/or defamation; and count III, malice. Defendant argues that the complaint is vague and ambiguous because it does not contain the defamatory statement defendant is alleged to have made and the individuals involved in the conversation.

Motions for a more definite statement are granted sparingly and are "designed to strike at unintelligibility, rather than at lack of detail in the complaint." Haghkerdar v. Husson Coll., 226 F.R.D. 12, 14 (D. Me. 2005). Plaintiff's complaint puts defendant on notice of plaintiff's allegation that, on August 14, 2016, defendant's principal stated to "KL" that plaintiff had committed tax fraud during her employment with defendant. (Pl.'s Compl. ¶ 5); cf. Johnson v. Ouellette, 2012 Me. Super. LEXIS 194, at *4-5 (Mar. 15, 2012) (complaint failed to assert basis on which party could be liable).

The entry is

Defendant's Motion for a More Definite Statement is DENIED.

Date: January 20, 2017


Nancy Mills
Justice, Superior Court