

## PUBLICATION UPDATE

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# Bender's Federal Practice Forms

Publication 90      Release 146

March 2014

## HIGHLIGHTS

### 5 Chapters Completely Revised

- This release contains complete revisions of the forms and analysis updates for five Civil Rules chapters.

### 27 New Sample Complaints Added

- This release begins the process of revising, expanding, and updating the coverage of complaints. In this release, the complaints in Chapter 8, Part 8(I) and Part 8(II) have been revised.

**Civil Rule 6. Computing and Extending Time.** This chapter covers how time periods in the federal rules and federal statutes are computed, how and when they may be extended, and when motion papers must be filed. The forms have been revised, the chart listing rule deadlines has been updated, and caselaw developments on timely filing of papers, particularly electronic filing, have been added to the chapter.

**Civil Rule 7.1. Disclosure Statements.** This Rule was added to the Federal Rules of Civil Procedure fairly recently. Although

designed to serve a simple purpose—to give district court judges the information they need to determine if they need to disqualify themselves—its operation in practice has not been so simple. In addition, parties have used the information in disclosure statements for other reasons, such as proof concerning jurisdictional challenges. These developments are explained in the revised chapter.

**Civil Rule 8, Parts 8(I) and 8(II). Complaints.** This release starts the process of revising the coverage of complaints in this publication. In this release, complaints on topics ranging from “Accounting” through “Civil Rights” and “Commerce” through “Consumer Law” have been updated and revised. In addition, as noted above, 27 new complaint forms have been added to the collection in this publication.

**Civil Rule 9. Pleading Special Matters.** All of the developments in this chapter concerning the special rules for pleading matters such as fraud, satisfaction of (or the failure to satisfy) conditions precedent, the capacity of parties, and so forth have been included in this revised and updated chapter.

**Civil Rule 10. Form of Pleadings.**

Much of this rule concerns technical matters, such as how captions in various multiparty actions and in consolidated actions, are supposed to appear. These technicalities are reflected in the revised forms. In addition, however, the rule precludes use of "Doe" pleadings as a matter of course in federal practice. How and when "Doe" parties are proper is covered in the revised chapters. In the most ignored portion of Rule 10, so-called "shotgun" pleadings are prohibited. What those are, what the requirements are for avoiding such a violation of the Rule, and what remedies opponents faced with "shotgun" pleadings can avail themselves of is explained in the revised chapter.

**Civil Rule 22. Interpleader.** The procedural device by which a stakeholder can

compel all claimants to a stake to litigate their claims in a single proceeding is explained and illustrated by relevant forms in this revised chapter. The appropriate procedures, and the limits on those procedures, are all illustrated in the updated forms and explained in the revised analysis.

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Publication 90, Release 146, March 2014

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Publication 90, Release 146, March 2014

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