

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

LESLIE K. JOHNSON,)	
)	
Plaintiff,)	No. 3:13-cv-342
)	
v.)	Judge Collier
)	Magistrate Judge Guyton
LENOIR CITY, TENNESSEE, et al.,)	
)	Jury Demand
Defendants.)	

MOTION TO STRIKE AFFIRMATIVE DEFENSE AND ASSOCIATED FILINGS

In accordance with Rule 12(f) of the Federal Rules of Civil Procedure, Plaintiff Leslie K. Johnson moves the Court for an order striking Defendants' alleged affirmative defense contained in paragraph number 82 of their Answer (ECF No. 7 at 14) and associated Notice of Manual Filing (ECF No. 8) and manually filed CD labeled as Exhibit A to their Answer. This alleged affirmative defense and associated filings are legally insufficient based upon the averments in the Answer and the controlling substantive law. Additionally, this alleged affirmative defense and associated filings contain immaterial, impertinent, unnecessary and scandalous matter that is invasive of privacy interests and overly prejudicial to Ms. Johnson. In support of this motion, Ms. Johnson files a memorandum demonstrating that it should be granted.

Accordingly, Ms. Johnson respectfully requests that the Court grant this motion and strike from the record in this case Defendants' affirmative defense in paragraph 82 of the Answer and their Notice of Manual Filing and CD manually filed as Exhibit A to the Answer.

Respectfully submitted,

s/Douglas B. Janney III
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I certify that I electronically filed and served this Motion to Strike Affirmative Defense and Associated Filings using the Court's CM/ECF system upon Benjamin K. Lauderback, Watson, Roach, Batson, Rowell & Lauderback, PLC, P.O. Box 131, Knoxville, Tennessee 37901-0131 on August 7, 2013.

s/Douglas B. Janney III
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