

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WILLIAM J. KEEFE and
RANDY J. KEEFE,

Plaintiffs,

v.

RONALD A. ARTHUR,
State Bar Number 01009-482,
and KATHLEEM M. ARTHUR,
State Bar Number 01017413,

Defendants.

ORDER

00-0016-C

In an order entered on August 20, 2003, I denied without prejudice plaintiffs' motion for an extension of time to serve defendants by publication. On that same day, defendants Ronald and Kathleem Arthur filed an answer to plaintiffs' complaint.

Now plaintiffs have filed a document titled "Memorandum Exposing Fraud Upon the Court of Hon. Barbara B. Crabb as Evidenced in Defendants' Answer and Responsive Pleadings." In addition, plaintiffs have filed a letter in which they appear to be requesting that I reconsider the August 20 order denying their request to serve defendants by publication.

Defendants' filing of their answers renders moot plaintiffs' continued efforts to obtain permission to serve them with the complaint by publication. Construing plaintiff's letter as a motion for reconsideration of the August 20 order, I will deny the motion.

In addition, I will disregard plaintiffs' "Memorandum Exposing Fraud" This document appears to have been filed in response to defendants' answers. Pursuant to Fed. R. Civ. P. 7(a), a plaintiff may not submit a reply to an answer unless the court orders him to. No such order has been made in this case. However, pursuant to Fed. R. Civ. P. 8(a), a party is deemed to deny averments in pleadings to which a response is not allowed. Therefore, although plaintiffs are not permitted to respond to defendants' answers, the court considers that they have denied the averments contained in that answer.

ORDER

IT IS ORDERED that plaintiffs' motion for reconsideration of this court's August 18, 2003, order is DENIED.

Further, plaintiffs' "Memorandum Exposing Fraud Upon the Court of Hon. Barbara B. Crabb as Evidenced in Defendants' Answer and Responsive Pleadings" will be placed in

the court's file of this case but will not be considered.

Entered this 29th day of August, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge