

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Alice R. Jones v. CitiMortgage, Inc., et al.

Jones · No. 25-cv-1993-pp · Decided March 13, 2026

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN ALICE R. JONES, Plaintiff, Case No. 25-cv-1993-pp v. CITIMORTGAGE, INC., et al., Defendants. ORDER REMINDING PLAINTIFF OF OPTION TO FILE AMENDED COMPLAINT IN LIEU OF RESPONDING TO DEFENDANTS' MOTION TO DISMISS (DKT. NO. 6) On March 10, 2026, the defendants filed a motion to dismiss the complaint under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim.

Dkt. No. 6. The defendants argue that the complaint does not meet the pleading requirements of Federal Rules of Civil Procedure 8 and 10, dkt. no. 7 at 3-4, that the plaintiff's allegations are conclusory and do not state a plausible claim, id. at 4-5, and that the plaintiff's claims referencing fraud are not well pleaded under Fed. R. Civ. P. 9, id. at 5-6.

Under Civil Local Rule 7(b) (E.D. Wis.), if the plaintiff wishes to oppose the motion she must do so within twenty-one days—that is by March 31, 2026. The plaintiff is free to timely file a response to the motion to dismiss, but the court reminds the plaintiff that she has another option—she may file an amended complaint to try to cure the alleged deficiencies.

See *Runnion ex rel. Runnion v. Girl Scouts of Greater Chi. and Nw. Ind.*, 786 F3d 510, 522 (7th Cir. 2015) (explaining that a responsive amendment may avoid the need to decide the motion or reduce the number of issues decided). Fed. R. Civ. P. 15(a)(1) allows the plaintiff to file the amended complaint as a matter of course within twenty-one days after service of the responsive pleading.

The court ORDERS that by March 31, 2026 the plaintiff shall file either an amended complaint or a response to the motion to dismiss. Dated in Milwaukee, Wisconsin this 13th day of March, 2026.
BY THE COURT: Chief United States District Judge