

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAMES M. ATKINSON,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION
)	NO. 11-11073-NMG
TOWN OF ROCKPORT, et al.,)	
)	
Defendants.)	

**REPORT AND RECOMMENDATION ON
ROCKPORT DEFENDANTS' MOTION TO DISMISS**

October 27, 2011

DEIN, U.S.M.J.

I. INTRODUCTION

The plaintiff James M. Atkinson ("Atkinson") has filed a 474 page *pro se* complaint naming well over 100 defendants, including the Town of Rockport and a number of its officials and employees (collectively the "Rockport Defendants").¹ This matter is presently before the court on the "Rockport Defendants' Motion to Dismiss Pursuant to Fed. R. Civ. P. 8" (Docket No. 14), pursuant to which the Rockport Defendants are seeking to have the Third Amended Complaint ("Compl.")² dismissed as

¹ Specifically, the Rockport Defendants are the Town, James Hurst (named twice), Daniel Mahoney, Gregory George, Sean Andrus, Michael Anderson, Timothy Frithsen, Mark Schmink, Robert Tibert, Michael Marino, John T. McCarthy, Rosemary Lesch, Scott Story, Rita Budrow, Jane Carr, Diane E. Crudden, Michael Racicot, Linda Sanders, Sandy Jacques, Sarah Wilkinson, Andrew Heinze, Ellen Canavan, Charles Clark and 25 "John Does."

² On July 19, 2011 the court ordered that the Third Amended Complaint (Docket No. 6) is the operative pleading in this case.

*After consideration of plaintiff's objection thereto,
Report and Recommendation accepted and adopted.*

SJM Gordon, USDJ 3/14/12