



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 MOTION OF CAPE ANN  
CHAMBER OF COMMERCE AND CHARLENE BROWN  
TO DISMISS THE THIRD AMENDED COMPLAINT**

November 8, 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 Cape Ann Chamber of Commerce (the “Chamber”) and its employee, Charlene Brown (“Brown”). This matter is presently before the court on the Chamber’s and Brown’s Motion to Dismiss (Docket No. 77), pursuant to which these defendants are seeking to have the Third Amended Complaint (“Compl.”)<sup>1</sup> dismissed as against them for failure to comply with the pleading requirements of Fed. R. Civ. P. 8. “While a court may dismiss a pleading that does not comply with the notice pleading requirements of Rule 8, the exercise of this power is

<sup>1</sup> 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*

*S/M Gorton, USDJ 3/14/12*