

## **Rule 10. Form of Pleadings**

(a) **CAPTION; NAMES OF PARTIES.** Every pleading must have a caption with the court's name, a title, a file number, and a Rule 7(a) designation. The title of the complaint must name all the parties; the title of other pleadings, after naming the first party on each side, may refer generally to other parties. If a case has been assigned to a specific judge or magistrate judge, the name of that judge or magistrate judge and, when known, the calendar number must appear below the file number on every pleading.

(b) **PARAGRAPHS; SEPARATE STATEMENTS.** A party must state its claims or defenses in numbered paragraphs, each limited as far as practicable to a single set of circumstances. A later pleading may refer by number to a paragraph in an earlier pleading. If doing so would promote clarity, each claim founded on a separate transaction or occurrence—and each defense other than a denial—must be stated in a separate count or defense.

(c) **ADOPTION BY REFERENCE; EXHIBITS.** A statement in a pleading may be adopted by reference elsewhere in the same pleading or in any other pleading or motion. A copy of a written instrument that is an exhibit to a pleading is a part of the pleading for all purposes.

### **COMMENT TO 2017 AMENDMENTS**

Rule 10 has been amended consistent with the 2007 stylistic changes to *Federal Rule of Civil Procedure 10*.

### **COMMENT**

Rule 10 is identical to *Federal Rule of Civil Procedure 10* except for the additional requirement that the calendar number or the judge's name be placed on the pleading. A similar provision was formerly in Rule 40-II(e). Rule 40-I(a) contemplates two different types of case assignment. In almost all instances, a case will be assigned to a particular calendar. Such a case may be transferred from one judge to another as judicial assignments change; for these cases the caption should contain the calendar number only. In exceptional circumstances, a particular judge may be assigned permanently to a case; for these cases the caption should contain the judge's name. Note, that in certain cases described in Rule 24(c) the pleading must bear immediately below the caption the inscription "RULE 24 NOTIFICATION REQUIRED." Note that the requirements of Rule 10 apply not only to pleadings but also to the form of all motions and other papers provided for by the civil rules. See Rule 7(b)(2).