

## S 4054

Notice Pleading Restoration Act of 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Law

**Introduced:** Dec 22, 2010

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Dec 22, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/4054>

### Sponsor

**Name:** Sen. Specter, Arlen [D-PA]

**Party:** Republican • **State:** PA • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Dec 22, 2010

### Subjects & Policy Tags

**Policy Area:**

Law

### Related Bills

*No related bills are listed.*

### Summary (as of Dec 22, 2010)

Notice Pleading Restoration Act of 2010 - States that the law governing a dismissal or striking of all or any part of a pleading containing a claim for failure to state a claim, indefiniteness, or insufficiency or a judgment on the pleadings shall be in accordance with the Federal Rules of Civil Procedure as interpreted by the Supreme Court in decisions issued before May 20, 2007, except as provided expressly by an Act of Congress enacted before, on, or after enactment of this Act, including the Private Securities Litigation Reform Act of 1995. (Thus finds *Bell Atlantic Corp. v. Twombly*, decided on May 21, 2007, and *Ashcroft v. Iqbal* to be inconsistent with the Federal Rules of Civil Procedure and finds further that the appropriate procedure for disposing of factually unmeritorious claims is summary judgment as the Supreme Court held in *Swierkiewicz v. Sorema N.A.* and *Leatherman v. Tarrant County*.)

## Actions Timeline

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- **Dec 22, 2010:** Introduced in Senate
- **Dec 22, 2010:** Sponsor introductory remarks on measure. (CR S11037-11038)
- **Dec 22, 2010:** Read twice and referred to the Committee on the Judiciary.

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