



§ 1483. The record shows that defendant Farm Credit Bank of Omaha filed a motion to dismiss or in the alternative, motion for more definite statement and motion to strike with respect to the original complaint. Because such pleading does not constitute a responsive pleading to the original complaint, plaintiffs were free to amend without leave of court. Accordingly, the Court finds that the Bankruptcy Court erred in striking the amended complaint.

IT IS ORDERED that this action is remanded to the Bankruptcy Court for proceedings consistent with this opinion.

DATED this 30<sup>th</sup> day of November, 1988.

BY THE COURT:



LYLE E. STROM, Chief Judge  
United States District Court