

111TH CONGRESS
1ST SESSION

S. _____

To provide that Federal courts shall not dismiss complaints under rule 12(b)(6) or (e) of the Federal Rules of Civil Procedure, except under the standards set forth by the Supreme Court of the United States in *Conley v. Gibson*, 355 U.S. 41 (1957).

IN THE SENATE OF THE UNITED STATES

Mr. SPECTER introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide that Federal courts shall not dismiss complaints under rule 12(b)(6) or (e) of the Federal Rules of Civil Procedure, except under the standards set forth by the Supreme Court of the United States in *Conley v. Gibson*, 355 U.S. 41 (1957).

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Notice Pleading Res-
5 toration Act of 2009”.

1 **SEC. 2. DISMISSAL OF COMPLAINTS IN FEDERAL COURTS.**

2 Except as otherwise expressly provided by an Act of
3 Congress or by an amendment to the Federal Rules of
4 Civil Procedure which takes effect after the date of enact-
5 ment of this Act, a Federal court shall not dismiss a com-
6 plaint under rule 12(b)(6) or (e) of the Federal Rules of
7 Civil Procedure, except under the standards set forth by
8 the Supreme Court of the United States in *Conley v. Gib-*
9 *son*, 355 U.S. 41 (1957).