

Rule 133. Pleading Breach of Statutory Duty; Judgment or Order; Breach of Condition Precedent

(a) Statutory Duty. If a breach of statutory duty is alleged, the statute shall be cited in connection with the allegation.

(b) Judgment or Order. In pleading a judgment or order of any State or Federal court or the decision of any State or Federal officer or board of special jurisdiction, it is sufficient to state the date of its entry, and describe its general nature and allege generally that the judgment or decision was duly given or made.

(c) Condition Precedent. In pleading the performance of a condition precedent in a contract, it is sufficient to allege generally that the party performed all the conditions on his part; if the allegation be denied, the facts must be alleged in connection with the denial showing wherein there was a failure to perform.

Committee Comments

This is former Rule 13 without change of substance.