

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE

**West Tennessee Air Service, LLC v. WTAS LLC, Kyle E. Rich, and
Melody L. Rich; WTAS LLC, Kyle E. Rich, and Melody L. Rich v.
Monte Warne, Marianna Williams, individually; Marianna Williams,
as Trustee of the Meredith Z. Warne Family Trust; and Ashley &
Arnold, a partnership**

No. 1:23-cv-1132-STA-jay, United States District Court for the Western District of Tennessee (June 10, 2026)

SUMMARY

This order advises the parties that the court is considering bifurcating certain third-party claims under Federal Rule of Civil Procedure 42(b). The court directs counsel to address the merits of bifurcation during their meet-and-confer and at the pretrial conference scheduled for June 12, 2026, before the June 29, 2026 trial.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee
WRITING FOR THE COURT	S. Thomas Anderson
DECIDED	June 10, 2026
DOCKET	1:23-cv-1132-STA-jay
DISPOSITION	other
PROCEDURAL POSTURE	Pretrial order advising the parties that the court is considering bifurcation of certain third-party claims under Federal Rule of Civil Procedure 42(b) and directing counsel to confer and be prepared to address bifurcation at the pretrial conference.
PRECEDENTIAL VALUE	unknown

TOPICS

- third party practice
- civil procedure
- commercial litigation
- breach of contract
- fraud

PRACTICE AREAS

- civil procedure
- commercial litigation
- contracts
- torts

QUESTIONS PRESENTED

1. Whether the court should consider bifurcating the claims against Marianna Williams and Ashley & Arnold under Federal Rule of Civil Procedure 42(b) to avoid prejudice or jury confusion and promote judicial economy.

HOLDINGS

1. A district court may sua sponte order separate trials of claims or issues in a complex case when bifurcation would prevent jury confusion, avoid prejudice, or promote judicial economy.

KEY QUOTATIONS

“For convenience, to avoid prejudice, or to expedite and economize, the court may order a separate trial of one or more separate issues, claims, crossclaims, counterclaims, or third party claims.”

“When a case presents complex issues, as in the present case, a Court may sua sponte order bifurcation to prevent jury confusion and to aid in the need for judicial economy.”

FACTUAL BACKGROUND

West Tennessee Air Service asserted a breach-of-contract claim against WTAS LLC and Kyle and Melody Rich arising from the sale of the business. WTAS and the Riches asserted third-party claims against Monte Warne for fraud-related misrepresentations, concealment, negligent misrepresentation and concealment, and breach of contract. They also asserted claims against Marianna Williams and Ashley & Arnold arising from Williams's legal representation, including fraud, fraudulent misrepresentation, fraudulent inducement, negligent misrepresentation, and breach of contract.

PROCEDURAL HISTORY

The action involves West Tennessee Air Service's breach-of-contract claim concerning the sale of the business to WTAS LLC and Kyle and Melody Rich, along with third-party claims by WTAS and the Riches against Monte Warne, Marianna Williams, and Ashley & Arnold. With trial scheduled for June 29, 2026, the district court issued this order directing the parties to consider whether the claims against Williams and Ashley & Arnold should be tried separately. The court deferred consideration of the issue to the June 12, 2026, meet-and-confer and pretrial conference.

DISPOSITION

other

CASES CITED

- Nelson v. Columbia Gas Transmission, LLC, 808 F. App'x 321, 329 (6th Cir. 2020)

OPINION

West Tennessee Air Service, LLC v. WTAS LLC, Kyle E. Rich, and Melody L. Rich; WTAS LLC, Kyle E. Rich, and Melody L. Rich v. Monte Warne, Marianna Williams, individually; Marianna Williams, as Trustee of the Meredith Z. Warne Family Trust; and Ashley & Arnold, a partnership
PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

WEST TENNESSEE AIR SERVICE, LLC,
Plaintiff/ Counter-Defendant, vs. Civil Action No. 1:23-cv-1132-STA-jay
WTAS LLC, KYLE E. RICH, and MELODY
L. RICH,
Defendants/Counter-Plaintiffs.

WTAS LLC, KYLE E. RICH, and MELODY
L. RICH,

Third-Party Plaintiffs, vs.

MONTE WARNE, MARIANNA WILLIAMS,
individually; MARIANNA WILLIAMS, as TRUSTEE of the MEREDITH Z. WARNE
FAMILY TRUST; and ASHLEY & ARNOLD,
a partnership, Third-Party Defendants.

ORDER DIRECTING PARTIES TO CONSIDER FED. R. CIV. P. 42(b)

Currently set for trial on June 29, 2026, are, inter alia, Plaintiff West Tennessee Air Service's claim for an alleged breach of contract against WTAS and Kyle and Melody Rich related to the sale of West Tennessee Air Service to WTAS and the Riches; the third-party complaint of WTAS and Kyle and Melody Rich against Monte Warne for fraudulent inducement, fraudulent misrepresentation, and fraudulent concealment, negligent misrepresentation and concealment, and breach of contract; and the third-party complaint of WTAS and Kyle and Melody Rich against Marianna Williams and Ashley & Arnold for fraud, fraudulent misrepresentation, fraudulent inducement, negligent misrepresentation, and breach of contract related to Williams' legal representation of the Riches. Federal Rule of Civil Procedure 42(b) provides, in relevant part: "For convenience, to avoid prejudice, or to expedite and economize, the court may order a separate trial of one or more separate issues, claims, crossclaims, counterclaims, or third party claims." Fed. R. Civ. P. 42(b). When a case presents complex issues, as in the present case, a Court may sua sponte order bifurcation to prevent jury confusion and to aid in the need for judicial economy. See, e.g., *Nelson v. Columbia Gas Transmission, LLC*, 808 F. App'x 321, 329 (6th Cir. 2020). The parties are hereby advised that the Court is considering bifurcating the claims of WTAS and the Riches against Williams and Ashley & Arnold. This matter will be addressed at the Pre-Trial Conference on June 12. Counsel should consider the merits of bifurcation during their meet and confer, also on June 12, and be prepared to address the issue at the Pre-Trial Conference. IT IS SO ORDERED. s/

S. Thomas Anderson

S. THOMAS ANDERSON

UNITED STATES DISTRICT JUDGE

Date: June 10, 2026

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