

**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.

OPINION

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