

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

Worldwide Aircraft Services Inc., d/b/a Jet ICU v. Freedom Life
Insurance Company of America

Worldwide Aircraft Services Inc. d/b/a Jet ICU v. Freedom Life Insurance Company of America, No. 8:25-cv-01158-WFJ-AEP (M.D. Fla. Dec. 11, 2025) · No. 8:25-cv-01158-WFJ-AEP · Decided December 11, 2025

SUMMARY

The United States District Court for the Middle District of Florida dismissed Jet ICU’s complaint without prejudice for lack of subject matter jurisdiction. The court held that the No Surprises Act incorporates only the Federal Arbitration Act’s vacatur provisions under 9 U.S.C. § 10(a), not the confirmation provision under 9 U.S.C. § 9, and therefore does not provide a private cause of action to enforce or confirm an independent dispute resolution award. The defendant’s motion for summary judgment and the plaintiff’s motion to dismiss the counterclaim were denied as moot.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	William F. Jung
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	December 11, 2025
DOCKET	8:25-cv-01158-WFJ-AEP
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff sought confirmation and enforcement of an Independent Dispute Resolution award under the No Surprises Act. Defendant moved for summary judgment and asserted a counterclaim seeking declaratory relief concerning the IDR proceeding. The court addressed subject matter jurisdiction before reaching the merits.
STANDARD OF REVIEW	Subject matter jurisdiction was reviewed under a facial attack, requiring the court to accept the complaint's allegations as true and determine whether it sufficiently alleged a jurisdictional basis. Summary judgment was governed by Federal Rule of Civil Procedure

56, but the court did not reach the merits because jurisdiction was lacking.

PRECEDENTIAL VALUE

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QUESTIONS PRESENTED

1. Whether the No Surprises Act creates a private cause of action or otherwise confers subject matter jurisdiction on a federal court to confirm or enforce an Independent Dispute Resolution award under section 9 of the Federal Arbitration Act.
2. Whether the pending summary-judgment and counterclaim-dismissal motions could be decided after the court determined that subject matter jurisdiction was lacking.

HOLDINGS

1. The No Surprises Act does not create a private cause of action to enforce or confirm an IDR award under section 9 of the Federal Arbitration Act; it expressly incorporates only section 10(a) of the FAA for limited judicial review and therefore does not confer subject matter jurisdiction for confirmation or enforcement.
2. Because subject matter jurisdiction was absent, the court dismissed the complaint without prejudice and denied the defendant's summary-judgment motion and the plaintiff's motion to dismiss the counterclaim as moot.

KEY QUOTATIONS

“Here, following the majority of federal courts that have considered the issue, the Court finds that the NSA does not create a private cause of action to enforce IDR awards under § 9 of the FAA.” (Discussion)

“As such, this Court lacks subject matter jurisdiction to enforce or confirm an IDR award under the NSA.” (Discussion)

“Plaintiff Jet ICU’s Complaint, Dkt. 1, is DISMISSED without prejudice for lack of subject matter jurisdiction.” (Conclusion)

FACTUAL BACKGROUND

Jet ICU provided air ambulance services to an individual covered by Freedom Life's specified-disease insurance certificate and received an initial payment of \$3,660.25. Jet ICU initiated the No Surprises Act's Independent Dispute Resolution process, but Freedom Life asserted that the certificate was ineligible for the federal IDR

process. An IDR entity nevertheless awarded Jet ICU \$35,354.75, and Jet ICU filed this action seeking confirmation and judgment on that award.

PROCEDURAL HISTORY

Jet ICU filed a complaint seeking confirmation of an IDR award for air ambulance services. Freedom Life moved for summary judgment and filed a counterclaim; Jet ICU moved to dismiss the counterclaim. The court held that it lacked subject matter jurisdiction to confirm or enforce the award under the No Surprises Act, dismissed the complaint without prejudice, and denied both pending motions as moot.

DISPOSITION

dismissed

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986)
- Allen v. Tyson Foods, Inc., 121 F.3d 642, 646 (11th Cir. 1997)
- Pennington v. City of Huntsville, 261 F.3d 1262, 1265 (11th Cir. 2001)
- Bailey v. Allgas, Inc., 284 F.3d 1237, 1243 (11th Cir. 2002)
- Steel Co. v. Citizens for a Better Environment, 523 U.S. 83, 94–95 (1998)
- Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375, 377 (1994)
- Turner v. Bank of North America, 4 U.S. 8, 11 (1799)
- McNutt v. General Motors Acceptance Corp. of Indiana, 298 U.S. 178, 182–83 (1936)
- Smith v. GTE Corp., 236 F.3d 1292, 1299 (11th Cir. 2001)
- Douglas v. United States, 814 F.3d 1268, 1274–75 (11th Cir. 2016)
- Worldwide Aircraft Services, Inc. d/b/a Jet ICU v. United Healthcare, No. 8:24-CV-2527-TPB-LSG, 2025 WL 3312169, at *1–2 & n.2 (M.D. Fla. Nov. 28, 2025)
- Reach Air Medical Services LLC v. Kaiser Foundation Health Plan Inc., No. 24-10135, 2025 WL 3222820, at *1–4 (11th Cir. Nov. 19, 2025)
- Guardian Flight, L.L.C. v. Health Care Service Corporation, 140 F.4th 271, 274–77 (5th Cir. 2025)