UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO

Benson v. Tabor Recovery Group, LLC, et al.

Benson v. Tabor Recovery Group, LLC, No. 3:25-cv-44 (S.D. Ohio Feb. 26, 2026) · No. 3:25-cv-44 · Decided February 26, 2026

SUMMARY

The United States District Court for the Southern District of Ohio denies without prejudice Defendants' motion for partial judgment on the pleadings in an action alleging violations of the Fair Debt Collection Practices Act and Ohio Consumer Sales Practices Act, as well as intrusion on seclusion and civil conspiracy. The Court explains the Rule 12(c) standard and directs the parties to present their arguments through summary judgment briefing, extending the dispositive motions deadline to March 31, 2026.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio
WRITING FOR THE COURT	Michael J. Newman
JURISDICTION	United States District Court for the Southern District of Ohio
DECIDED	February 26, 2026
DOCKET	3:25-cv-44
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(c) for partial judgment on the pleadings. After briefing and completion of discovery, the court denied the motion without prejudice and extended the dispositive-motions deadline.
STANDARD OF REVIEW	A Rule 12(c) motion is analyzed under the same standard as a Rule 12(b)(6) motion. The court accepts well-pleaded factual allegations as true, construes the complaint in the plaintiff's favor, and draws reasonable inferences in the plaintiff's favor, but need not accept legal conclusions or unwarranted factual inferences. The complaint must contain sufficient factual matter to state a claim that is plausible on its face.
PRECEDENTIAL VALUE	unpublished district court order

PARTIES	Lynette Benson, Charles Benson v. Tabor Recovery Group, LLC, Tony Adkins, Mark Richmond

TOPICS

motion for judgment on the pleadings · motions to dismiss · fair debt collection · consumer protection · civil procedure

PRACTICE AREAS

civil procedure · fair debt collection · consumer protection · torts

QUESTIONS PRESENTED

1. What standard governs defendants' motion for partial judgment on the pleadings under Federal Rule of Civil Procedure 12(c)?
2. Whether the court should resolve defendants' partial judgment-on-the-pleadings motion after discovery had been completed, or instead require the parties to present their arguments through summary judgment briefing.

HOLDINGS

1. Motions for judgment on the pleadings under Rule 12(c) are analyzed under the same standard as motions to dismiss under Rule 12(b)(6).
2. The defendants' motion for partial judgment on the pleadings was denied without prejudice because, in light of completed discovery and the procedural posture, the parties' arguments should be presented through summary judgment briefing.

KEY QUOTATIONS

> *"Motions for judgment on the pleadings under Rule 12(c) are analyzed under the same standard as motions to dismiss under Rule 12(b)(6)."*

> *"The Court anticipates reviewing the parties' arguments on summary judgment."*

FACTUAL BACKGROUND

Plaintiffs Lynette Benson and Charles Benson brought claims against Tabor Recovery Group, LLC, Tony Adkins, and Mark Richmond. The amended complaint alleges violations of the Fair Debt Collection Practices Act and Ohio Consumer Sales Practices Act, along with intrusion upon seclusion and civil conspiracy. The court noted that the parties had completed discovery, which informed its decision to address the parties' arguments through summary judgment rather than resolve them under the pending Rule 12(c) motion.

PROCEDURAL HISTORY

Plaintiffs filed an amended complaint asserting claims under the Fair Debt Collection Practices Act, the Ohio Consumer Sales Practices Act, intrusion upon seclusion, and civil conspiracy. Defendants moved for partial judgment on the pleadings, and the parties briefed the motion. Because discovery had been completed and the court considered summary judgment briefing the more efficient procedural vehicle, it denied the Rule 12(c) motion without prejudice and set March 31, 2026, as the dispositive-motions deadline.

DISPOSITION

other

CASES CITED

- Roth v. Guzman, 650 F.3d 603, 605 (6th Cir. 2011)
- JPMorgan Chase Bank, N.A. v. Winget, 510 F.3d 577, 581 (6th Cir. 2007)
- Royal Truck & Trailer Sales & Serv., Inc. v. Kraft, 974 F.3d 756, 758 (6th Cir. 2020)
- Jones v. City of Cincinnati, 521 F.3d 555, 559 (6th Cir. 2008)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Meriwether v. Hartop, 992 F.3d 492, 514 (6th Cir. 2021)

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