

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Deborah C. Broil v. Kansas Bureau of Investigation

Broil · No. 24-2029-DDC-RES · Decided May 8, 2026

SUMMARY

The United States District Court for the District of Kansas denied Deborah C. Broil’s motion for reconsideration and for leave to file a second amended complaint. The court held that Broil failed to establish good cause under Federal Rule of Civil Procedure 16(b)(4) for seeking amendment after the scheduling-order deadline and also failed to comply with District of Kansas Local Rule 15.1. The court noted that Broil had abandoned her request for reconsideration of the prior dismissal of her retaliatory hostile-work-environment claim.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Daniel D. Crabtree
JURISDICTION	United States District Court for the District of Kansas
DECIDED	May 8, 2026
DOCKET	24-2029-DDC-RES
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for reconsideration of the dismissal of her retaliatory hostile-work-environment claim and for leave to file a second amended complaint after the scheduling-order deadline. Plaintiff abandoned the reconsideration request in her reply and pursued only leave to amend.
STANDARD OF REVIEW	A motion to amend filed after a scheduling-order deadline requires a showing of good cause under Federal Rule of Civil Procedure 16(b)(4), followed by satisfaction of Rule 15(a)'s amendment standard. The denial of leave to amend in these circumstances is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	District court memorandum and order; precedential status is not stated in the opinion and is unknown.
PARTIES	Deborah C. Broil v. Kansas Bureau of Investigation

TOPICS

motion to amend

civil procedure

hostile work environment

retaliation

employment discrimination

PRACTICE AREAS

civil procedure

employment law

civil rights

QUESTIONS PRESENTED

1. Whether plaintiff was entitled to leave to amend her complaint after the scheduling-order deadline without demonstrating good cause under Federal Rule of Civil Procedure 16(b)(4).
2. Whether plaintiff's failure to comply with District of Kansas Local Rule 15.1 independently justified denial of leave to amend.
3. Whether the court should reconsider its prior dismissal of plaintiff's retaliatory hostile-work-environment claim after identifying an error in the legal standard, where plaintiff abandoned her reconsideration request.

HOLDINGS

1. A party seeking leave to amend after a scheduling-order deadline must first demonstrate good cause under Federal Rule of Civil Procedure 16(b)(4), and then satisfy Rule 15(a). Because plaintiff made no good-cause argument, the court properly denied leave to amend without reaching Rule 15(a).
2. Failure to comply with District of Kansas Local Rule 15.1(a)(3), which requires a redlined proposed amendment to show all proposed changes, independently justified denial of leave to amend.
3. The court did not reconsider its prior dismissal because plaintiff abandoned her reconsideration request and sought only leave to file a second amended complaint.

KEY QUOTATIONS

“After a scheduling order deadline, a party seeking leave to amend must demonstrate (1) good cause for seeking modification under Fed. R. Civ. P. 16(b)(4) and (2) satisfaction of the Rule 15(a) standard.” (Legal Standard)

“Fatally, plaintiff hasn’t made any argument that her late-breaking request to amend satisfies Rule 16’s good-cause standard. So, the court won’t permit her to amend her pleading.” (Conclusion)

FACTUAL BACKGROUND

The court had previously dismissed plaintiff's retaliatory hostile-work-environment claim under an incorrect legal standard. During discovery, plaintiff developed additional allegations and sought leave to file a second amended complaint after the deadline for amending pleadings had expired. Plaintiff did not explain why the scheduling deadline could not have been met through diligent efforts and admitted that her redlined proposed pleading did not show all changes.

PROCEDURAL HISTORY

After plaintiff filed an employment-discrimination action, defendant moved to dismiss under Federal Rule of Civil Procedure 12(b)(6). The court granted that motion in part and dismissed plaintiff's retaliatory hostile-work-environment claim, later acknowledging that it had applied the wrong legal standard to that claim. Plaintiff then moved for reconsideration and leave to amend based on facts learned during discovery, but she abandoned reconsideration and failed to address Rule 16(b)(4)'s good-cause requirement or comply fully with District of Kansas Local Rule 15.1. The court denied the motion.

DISPOSITION

other

CASES CITED

- Spann v. Nat'l Conf. of Bar Exam'rs, 166 F.4th 1201, 1207 (10th Cir. 2026)
- Gorsuch, Ltd., B.C. v. Wells Fargo Nat'l Bank Ass'n, 771 F.3d 1230, 1240 (10th Cir. 2014)
- Husky Ventures, Inc. v. B55 Invs., Ltd., 911 F.3d 1000, 1020 (10th Cir. 2018)
- Tesone v. Empire Mktg. Strategies, 942 F.3d 979, 990 (10th Cir. 2019)
- Mengert v. United States, 120 F.4th 696, 717 (10th Cir. 2024)
- Hamric v. Wilderness Expeditions, Inc., 6 F.4th 1108, 1118 (10th Cir. 2021)
- Colorado v. EPA, 989 F.3d 874, 885 (10th Cir. 2021)
- Adler v. Wal-Mart Stores, Inc., 144 F.3d 664, 672 (10th Cir. 1998)
- Birch v. Polaris Indus., Inc., 812 F.3d 1238, 1247–49 (10th Cir. 2016)
- Hackemann-Bahlmann v. Kan. State Univ., No. 24-CV-04098-JAR-GEB, 2025 WL 1784930, at *10 n.83 (D. Kan. June 27, 2025)
- Series 17-03-615 v. Teva Pharms. USA, Inc., 785 F. Supp. 3d 904, 966 (D. Kan. 2025)
- Hollingsworth v. Perry, 558 U.S. 183, 191 (2010)