

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Frederick G. D’Amico et al. v. Youngstown Film Office et al.

D’Amico v. Youngstown Film Office, No. 4:25-cv-651 (N.D. Ohio Apr. 10, 2026) · No. 4:25-cv-651 · Decided
April 10, 2026

SUMMARY

The United States District Court for the Northern District of Ohio granted in part Defendants’ motion for judgment on the pleadings, dismissing Plaintiffs’ federal extortion and coercion claim under 18 U.S.C. §§ 873 and 1951 because those criminal statutes do not provide a private civil cause of action. The Court declined to exercise supplemental jurisdiction over the remaining Ohio-law claims for tortious interference with a business relationship and civil conspiracy, dismissing them without prejudice. The opinion also addresses federal-question jurisdiction and the discretionary factors governing supplemental jurisdiction.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	Benita Y. Pearson
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	April 10, 2026
DOCKET	4:25-cv-651
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for judgment on the pleadings under Federal Rule of Civil Procedure 12(c). The court granted the motion in part as to the federal extortion and coercion claim in Count II and declined supplemental jurisdiction over the remaining state-law claims.
STANDARD OF REVIEW	A Rule 12(c) motion for judgment on the pleadings is evaluated under the same standard as a Rule 12(b)(6) motion. The court accepts well-pleaded factual allegations as true and construes them in the plaintiff’s favor; the complaint must contain sufficient factual matter to state a facially plausible claim.
PRECEDENTIAL VALUE	Unknown

PARTIES

Frederick G. D’Amico, Youngstown Regional Film Commission v.
Youngstown Film Office, Jamael Tito Brown

TOPICS

motion for judgment on the pleadings

subject matter jurisdiction

civil procedure

municipal law

federalism

PRACTICE AREAS

civil procedure

federal jurisdiction

municipal law

torts

QUESTIONS PRESENTED

1. Whether plaintiffs’ Count II allegations under 18 U.S.C. §§ 873 and 1951 stated a civil claim for which relief could be granted.
2. Whether the court had original federal-question jurisdiction over Count II.
3. Whether the court should exercise supplemental jurisdiction over the state-law claims for tortious interference with a business relationship and civil conspiracy after dismissing the only federal claim.
4. What standard governs a motion for judgment on the pleadings under Federal Rule of Civil Procedure 12(c).

HOLDINGS

1. A motion for judgment on the pleadings under Rule 12(c) is governed by the same standard as a motion to dismiss for failure to state a claim under Rule 12(b)(6).
2. Count II failed to state a claim because neither 18 U.S.C. § 873 nor 18 U.S.C. § 1951 provides a private cause of action permitting an individual to recover civil damages.
3. Count II presented a federal question because the complaint alleged that defendants violated federal extortion laws, even though the claim ultimately failed on the merits.
4. The court declined to exercise supplemental jurisdiction over the remaining state-law claims after dismissing the only federal claim and dismissed Counts I and III without prejudice.

KEY QUOTATIONS

“To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” (Section II)

“Indeed, neither § 873 nor § 1951 provide a private cause of action for a private individual to recover civil damages.” (Section III)

FACTUAL BACKGROUND

Plaintiff Frederick G. D’Amico and the Youngstown Regional Film Commission promoted the Youngstown region and assisted film productions beginning in 2015. The Ohio Film Office listed the Commission as a

regional film commission until 2019, when the Youngstown Film Office announced that it was the only sanctioned commission for the area and the Ohio Film Office removed the Commission from its list. Plaintiffs alleged that Mayor Jamael Tito Brown threatened them and sought control over the Commission, and they characterized those allegations as coercion and extortion under federal criminal statutes.

PROCEDURAL HISTORY

Plaintiffs sued the Youngstown Film Office, former Youngstown Mayor Jamael Tito Brown, and others on claims for tortious interference with a business relationship, coercion and extortion, and civil conspiracy. The Ohio Film Office separately moved to dismiss, and the court previously dismissed the claims against it. On the remaining defendants' Rule 12(c) motion, the court dismissed Count II for failure to state a claim because the cited federal criminal statutes provide no private civil cause of action, then dismissed Counts I and III without prejudice after declining supplemental jurisdiction.

DISPOSITION

other

CASES CITED

- U.S. ex rel. Bledsoe v. Community Health Systems, Inc., 342 F.3d 634, 643 (6th Cir. 2003)
- Ziegler v. IBP Hog Market, Inc., 249 F.3d 509, 511–12 (6th Cir. 2001)
- Mixon v. Ohio, 193 F.3d 389, 399–400 (6th Cir. 1999)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- L.O.I. Property, LLC v. Butler County, Ohio, No. 22-3512, 2023 WL 3270901, at *4 (6th Cir. May 5, 2023)
- Barany-Snyder v. Weiner, 539 F.3d 327, 332 (6th Cir. 2008)
- Klepsky v. United Parcel Service, Inc., 489 F.3d 264, 268 (6th Cir. 2007)
- Thornton v. Southwestern Detroit Hospital, 895 F.2d 1131, 1133 (6th Cir. 1990)
- Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375, 377 (1994)
- Elmcroft of Sagamore Hills, 566 F. Supp. 3d 771, 779 (N.D. Ohio)
- Merrell Dow Pharmaceuticals Inc. v. Thompson, 478 U.S. 804, 808–09 (1986)
- Kenyon v. Union Home Mortgage Corp., 581 F. Supp. 3d 951, 955–56 (N.D. Ohio)
- Georgia-Pacific Consumer Products LP v. Four-U-Packaging, Inc., 701 F.3d 1093, 1102 (6th Cir. 2012)
- Lee v. Countrywide Home Loans, Inc., 692 F.3d 442, 446 (6th Cir. 2012)
- Blakely v. United States, 276 F.3d 853, 861 (6th Cir. 2002)
- Ahearn v. Charter Township of Bloomfield, 100 F.3d 451, 454–55 (6th Cir. 1996)
- Afshari v. Montana Black Gold, No. 20-5362, 2020 WL 9217980, at *3 (6th Cir. Dec. 17, 2020)
- Weeks v. Portage County Executive Offices, 235 F.3d 275, 280 (6th Cir. 2000)
- Geiling v. Wirt Financial Services, Inc., No. 15-1393, 2017 WL 6945559, at *3 (6th Cir. June 8, 2017)

- Packard v. Farmers Insurance Co. of Columbus Inc., 423 F. App'x 580, 584 (6th Cir. 2011)
- Moon v. Harrison Piping Supply, 465 F.3d 719, 728 (6th Cir. 2006)
- Experimental Holdings, Inc. v. Farris, 503 F.3d 514, 521 (6th Cir. 2007)

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