

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
KENTUCKY

Taylor Celeste Osborne v. Kentuckiana Dental Health Specialists,
LLC

Osborne · No. 5:26-11-DCR · Decided April 7, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky granted Kentuckiana Dental Health Specialists, LLC's Rule 12(b)(6) motion to dismiss Taylor Celeste Osborne's Title VII retaliation claim. The court held that Osborne's complaint about the use of local anesthetic on pediatric dental patients did not oppose an unlawful employment practice under Title VII and therefore was not protected activity. The complaint was dismissed with prejudice, and the case was stricken from the docket.

CASE DETAILS

COURT	United States District Court for the Eastern District of Kentucky
WRITING FOR THE COURT	Danny C. Reeves
JURISDICTION	United States District Court for the Eastern District of Kentucky
DECIDED	April 7, 2026
DOCKET	5:26-11-DCR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss plaintiff's Title VII retaliation complaint for failure to state a claim.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true and draws reasonable inferences in the plaintiff's favor, but need not accept conclusory allegations or unwarranted inferences. The complaint must state a claim for relief that is plausible on its face.
PRECEDENTIAL VALUE	Unknown
PARTIES	Taylor Celeste Osborne v. Kentuckiana Dental Health Specialists, LLC

TOPICS

retaliation

title vii

motions to dismiss

employment law

civil procedure

PRACTICE AREAS

employment law

civil rights

civil procedure

QUESTIONS PRESENTED

1. Whether Osborne's complaint to KDHS management about the absence of local anesthetic during dental procedures on pediatric patients constituted activity protected by Title VII's opposition clause.
2. Whether the complaint stated a plausible Title VII retaliation claim.

HOLDINGS

1. Osborne's complaint about the treatment of KDHS's pediatric patients was not protected activity under Title VII because it did not oppose a practice made unlawful by Title VII and could not reasonably have been understood as opposing such a practice.
2. The complaint failed to state a claim for Title VII retaliation because it did not allege that Osborne engaged in Title VII-protected activity.
3. Leave to amend was not granted because Osborne did not tender a proposed amended complaint or explain how amendment would cure the central defect in her pleading.

KEY QUOTATIONS

“A motion under Rule 12(b)(6) of the Federal Rules of Civil Procedure seeks dismissal of a complaint for failure to state a claim upon which relief may be granted.” (slip op. at 2)

“The practice about which Osborne complained may or may not have “violate[d] professional standards of care and applicable regulations” but it did not violate Title VII.” (slip op. at 3)

“Because Osborne did not engage in protected activity, she fails to state a claim for employment-related retaliation under Title VII.” (slip op. at 3)

FACTUAL BACKGROUND

Osborne was employed by KDHS in a management position in 2025. She observed pediatric patients receiving multiple surface fillings and dental crowns without local anesthetic and complained about the practice to KDHS's regional manager by text message in February 2025. KDHS terminated her employment three days later. Osborne alleged that her complaint was protected activity under Title VII because she believed the practice was unlawful and unsafe.

PROCEDURAL HISTORY

Osborne filed a single-count Title VII retaliation complaint alleging that KDHS terminated her three days after she complained to management about the use of dental procedures without local anesthetic on pediatric patients. The EEOC issued a right-to-sue letter. KDHS moved to dismiss, arguing that Osborne's complaint concerned

patient care and did not oppose an unlawful employment practice under Title VII. The court granted the motion, dismissed the complaint with prejudice, and struck the matter from the docket.

DISPOSITION

dismissed

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Peterson v. Johnson, 87 F.4th 833, 836 (6th Cir. 2023)
- Jackson v. City of Cleveland, 64 F.4th 736, 743 (6th Cir. 2023)
- Terry v. Tyson Farms, Inc., 604 F.3d 272, 276 (6th Cir. 2010)
- Steeb v. Ehart, 165 F.4th 536, 540 (6th Cir. 2026)
- Newberry v. Silverman, 789 F.3d 636, 640 (6th Cir. 2015)
- Laster v. City of Kalamazoo, 746 F.3d 714, 729 (6th Cir. 2014)
- Browning v. Franklin Precision Industries, Inc., No. 23-5406, 2023 WL 8437235, at *3 (6th Cir. Dec. 5, 2023)
- Abbott v. Crown Motor Co., 348 F.3d 537, 542 (6th Cir. 2003)
- Johnson v. University of Cincinnati, 215 F.3d 561, 579 (6th Cir. 2000)
- Jackson v. Genesee County Road Commission, 999 F.3d 333, 345 (6th Cir. 2021)
- Graf v. Morristown-Hamblen Hospital Association, 155 F.4th 578, 589 (6th Cir. 2025)
- Wasek v. Arrow Energy Services, Inc., 682 F.3d 463, 469 (6th Cir. 2012)