

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE

Heather Walden v. Alliance for Multispeciality Research, LLC

Walden · No. 3:24-CV-232-TAV-JEM · Decided February 13, 2026

SUMMARY

The United States District Court for the Eastern District of Tennessee denied Plaintiff Heather Walden’s motion for leave to supplement her amended complaint under Federal Rule of Civil Procedure 15(d). The court concluded that the proposed supplement asserting False Claims Act retaliation was futile because the alleged conduct did not sufficiently constitute protected activity or employment-related adverse action. The court also found that supplementation would unduly prejudice the defendant by creating litigation and discovery concerning mediation communications protected by a settlement communications privilege.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee
WRITING FOR THE COURT	Jill E. McCook
JURISDICTION	United States District Court for the Eastern District of Tennessee
DECIDED	February 13, 2026
DOCKET	3:24-CV-232-TAV-JEM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 15(d) for leave to supplement her amended complaint with allegations of post-employment retaliation allegedly occurring during mediation. Defendant opposed, arguing futility, settlement-communications privilege, and prejudice. The court denied the motion.
STANDARD OF REVIEW	The court applied its broad discretion under Federal Rule of Civil Procedure 15(d) and evaluated relatedness, judicial economy, delay or bad faith, prejudice, futility, final judgment, continuing jurisdiction, prior affirmative duties, and alleged defiance of court orders.
PRECEDENTIAL VALUE	nonprecedential district-court memorandum and order
PARTIES	Heather Walden v. Alliance for Multispeciality Research, LLC

TOPICS

motion to amend pleadings civil procedure retaliation whistleblower

PRACTICE AREAS

civil procedure employment law whistleblower retaliation evidence

QUESTIONS PRESENTED

1. Whether Plaintiff should be permitted under Federal Rule of Civil Procedure 15(d) to supplement her amended complaint with allegations concerning an alleged post-employment threat made during mediation.
2. Whether the proposed supplemental FCA retaliation claim would be futile because the alleged conduct did not constitute protected activity or materially adverse employment-related retaliation.
3. Whether supplementation should alternatively be denied because allegations concerning mediation communications would cause undue prejudice and litigation over protected settlement communications.

HOLDINGS

1. Leave to supplement may be denied when the proposed supplemental pleading is futile or would cause undue prejudice, applying the Rule 15(d) factors and the court's broad discretion.
2. The proposed supplement was futile because Plaintiff did not adequately allege protected activity under the FCA or a materially adverse employment-related action connected to that activity.
3. Even if the proposed supplement were not futile, allowing it would unduly prejudice Defendant because it would generate litigation and discovery concerning alleged mediation communications.

KEY QUOTATIONS

“The Court declines to allow Plaintiff to supplement the Amended Complaint given that it is futile. But even if it were not futile, the Court finds allowing Plaintiff to supplement would be prejudicial.” (II. ANALYSIS)

“In order to state a claim for retaliation under the FCA, the plaintiff must allege “(1) she engaged in a protected activity, (2) the employer knew she engaged in the protected activity, and (3) the employer discharged or otherwise discriminated against the employee as a result of the protected activity.”” (II. ANALYSIS)

FACTUAL BACKGROUND

Plaintiff alleged that Defendant terminated her employment on November 29, 2022. She sought to add allegations that, during a May 1, 2025 mediation in the litigation, Defendant learned of her prior report to HHS-OIG concerning suspected research misconduct and thereafter threatened her with prosecution. She characterized the alleged threat as a separately actionable retaliation claim under the False Claims Act.

PROCEDURAL HISTORY

Plaintiff filed the action on May 20, 2024, asserting Title VII and ADA claims. The court later dismissed the Title VII claims and granted leave to amend in part, denying leave as to certain constructive-discharge and negligent-misrepresentation claims. After filing her amended complaint, Plaintiff moved to supplement it with allegations that Defendant threatened her during a May 1, 2025 mediation after learning of an alleged whistleblower report. The court denied supplementation as futile and, alternatively, as unduly prejudicial.

DISPOSITION

other

CASES CITED

- Jones v. State, No. 3:23-CV-01033, 2024 WL 4631658, at *2 (M.D. Tenn. Oct. 30, 2024)
- Ne. Ohio Coal. for the Homeless v. Husted, Case No. 2:06-CV-00896, 2015 WL 13034990, at *6 (S.D. Ohio Aug. 7, 2015)
- Fakorede v. Mid-S. Heart Ctr., P.C., 709 F. App'x 787, 789 (6th Cir. 2017)
- AK v. Behav. Health Sys., Inc., 382 F. Supp. 3d 772, 774 (M.D. Tenn. 2019)
- Jones-McNamara v. Holzer Health Sys., 630 F. App'x 394, 399 (6th Cir. 2015)
- United States ex rel. Felten v. William Beaumont Hosp., 993 F.3d 428, 435 (6th Cir. 2021)
- Vander Boegh v. EnergySolutions, Inc., 772 F.3d 1056, 1062 (6th Cir. 2014)
- Goodyear Tire & Rubber Co. v. Chiles Power Supply, Inc., 332 F.3d 976, 980 (6th Cir. 2003)
- U.S. ex rel. Howard v. Lockheed Martin Corp., 14 F. Supp. 3d 982, 1021 (S.D. Ohio 2014)
- Boze v. Gen. Elec. Co., No. 4:07CV-74-M, 2009 WL 2485394, at *2-*3 (W.D. Ky. Aug. 4, 2009)
- Deshazo v. Fed. Express Corp., No. 6:24-CV-00147, 2025 WL 3483094, at *5 (E.D. Ky. Dec. 3, 2025)