

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE

Apartment Insiders, LLC v. Mirakle Hensen

No. 3:25-cv-01137 (M.D. Tenn. May 7, 2026) · No. No. 3:25-cv-01137 · Decided May 7, 2026

SUMMARY

The United States District Court for the Middle District of Tennessee adopts a magistrate judge’s report and recommendation in Apartment Insiders, LLC v. Hensen. The Court denies Mirakle Hensen’s Rule 12(b)(6) motion to dismiss claims involving alleged trade-secret misappropriation and breach of a Business Protection Agreement, and denies Apartment Insiders’ request to amend its complaint. No objections to the report and recommendation were filed.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee
WRITING FOR THE COURT	Eli J. Richardson
JURISDICTION	United States District Court for the Middle District of Tennessee
DECIDED	May 7, 2026
DOCKET	No. 3:25-cv-01137
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation on a Rule 12(b)(6) motion to dismiss and a request to amend the complaint. No party filed objections.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(b), a district judge must review de novo those portions of a magistrate judge's report and recommendation to which a proper objection is made. When no objection is filed, the district court is not required to conduct de novo or other independent review and may adopt the report and recommendation.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown

TOPICS

- motions to dismiss
- motion to amend
- civil procedure
- trade secrets
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation when no party filed objections.
2. Whether Hensen's Rule 12(b)(6) motion to dismiss should be denied.
3. Whether Apartment Insiders should be permitted to amend its complaint based on a request made in its response to the motion to dismiss.

HOLDINGS

1. When no party files timely objections to a magistrate judge's report and recommendation, the district court is not required to conduct de novo or other independent review of the unobjected-to portions and may adopt the recommendation.
2. Hensen's motion to dismiss Apartment Insiders' complaint was denied.
3. Apartment Insiders' request to amend its complaint, made in its response to the motion to dismiss, was denied.

FACTUAL BACKGROUND

Mirakle Hensen worked as a real estate agent for Apartment Insiders, LLC, until her termination on July 30, 2025. Their Business Protection Agreement contained confidentiality, client-interference, landlord-interference, nondisparagement, and return-of-property provisions. Apartment Insiders alleged that before her termination Hensen downloaded landlord and referral-fee information and emailed herself production reports, and that after joining a competitor she pursued Apartment Insiders' tenants and landlords.

PROCEDURAL HISTORY

Apartment Insiders filed a state-court breach-of-contract action against Hensen and obtained a temporary restraining order, but the state court denied a temporary injunction after finding the client restrictions in the parties' Business Protection Agreement unenforceable as written. Apartment Insiders voluntarily dismissed that action and filed this federal action asserting trade-secret misappropriation and breach-of-contract claims. The magistrate judge recommended denying Hensen's motion to dismiss and denying Apartment Insiders' request to amend its complaint; the district court adopted the recommendation because no objections were filed.

DISPOSITION

other

CASES CITED

- *Frias v. Frias*, No. 2:18-CV-00076, 2019 WL 549506, at *2 (M.D. Tenn. Feb. 12, 2019)
- *Hart v. Bee Prop. Mgmt., Inc.*, No. 18-CV-11851, 2019 WL 1242372, at *1 (E.D. Mich. Mar. 18, 2019)

- Thomas v. Arn, 474 U.S. 140, 149-50 (1985)
- Ashraf v. Adventist Health Sys./Sunbelt, Inc., 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018)
- Benson v. Walden Sec., No. 3:18-CV-00010, 2018 WL 6322332, at *3 (M.D. Tenn. Dec. 4, 2018)

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