

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

Alan Cummings v. Marriott International, Inc.

Cummings v. Marriott · No. No. 25-cv-06323 · Decided March 31, 2026

SUMMARY

The United States District Court for the Northern District of Illinois granted Marriott International, Inc.’s motion to dismiss for lack of personal jurisdiction. The court held that the plaintiff failed to show Marriott purposefully availed itself of Illinois through its website, Bonvoy rewards program, communications, branding, or post-injury conduct, and dismissed the premises-liability complaint without prejudice.

CASE DETAILS

COURT	United States District Court for the Northern District of Illinois, Eastern Division
WRITING FOR THE COURT	John F. Kness
JURISDICTION	United States District Court for the Northern District of Illinois, Eastern Division
DECIDED	March 31, 2026
DOCKET	No. 25-cv-06323
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant removed the premises-liability action from Illinois state court on diversity grounds and moved to dismiss for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2), and alternatively for failure to state a claim under Rule 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(2) motion decided on written submissions, the court accepts well-pleaded allegations as true and resolves factual disputes in the plaintiff’s favor; the plaintiff bears the burden of establishing personal jurisdiction. In a diversity action, the federal court’s personal-jurisdiction authority is coextensive with that allowed by Illinois law.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- personal jurisdiction
- motions to dismiss
- premises liability
- personal injury
- civil procedure

PRACTICE AREAS

civil procedure

personal jurisdiction

premises liability

personal injury

QUESTIONS PRESENTED

1. Whether Marriott was subject to specific personal jurisdiction in Illinois based on its website, Marriott Bonvoy rewards program, branding and alleged control of the Thai resort, correspondence with Cummings, and post-injury handling of the incident.
2. Whether the court should reach Marriott's alternative Rule 12(b)(6) motion after dismissing for lack of personal jurisdiction.

HOLDINGS

1. Specific personal jurisdiction was lacking because Cummings did not establish that Marriott purposefully availed itself of Illinois as a forum.
2. The court declined to address Marriott's Rule 12(b)(6) motion because the action was being dismissed for lack of personal jurisdiction.

KEY QUOTATIONS

“For a court to exercise specific personal jurisdiction over a defendant, three requirements must be met: (1) a defendant must purposefully avail itself of the protections of the forum state; (2) the injury alleged must arise from or relate to the defendant’s contacts with the forum state; and (3) maintaining the suit in the forum state must not offend “traditional notions of fair play and substantial justice.””

“Plaintiff cannot establish jurisdiction over Marriott by creating the link between Marriott and Illinois on his own initiative.”

FACTUAL BACKGROUND

Cummings, an Illinois resident employed by Ingredion Thailand, allegedly slipped and fell into a water feature in the lobby of the Rayong Marriott Resort & Spa in Thailand. His employer booked the resort accommodations, included his Marriott Bonvoy number in the booking, and Cummings received a Marriott-branded confirmation and tax receipt at his Illinois residence. After the incident, Marriott allegedly refunded unused resort time, credited travel benefits to Cummings's Bonvoy account, and documented the incident through its risk-management department.

PROCEDURAL HISTORY

Cummings filed the action in the Circuit Court of Cook County after allegedly sustaining injuries at a Marriott-affiliated resort in Thailand. Marriott removed the case to the Northern District of Illinois based on diversity jurisdiction and moved to dismiss. The court granted the Rule 12(b)(2) motion, dismissed the complaint without prejudice, and declined to address the Rule 12(b)(6) motion.

DISPOSITION

dismissed

CASES CITED

- *Tamburo v. Dworkin*, 601 F.3d 693, 700, 702 (7th Cir. 2010)
- *N. Grain Mktg., LLC v. Greving*, 743 F.3d 487, 491 (7th Cir. 2014)
- *uBid, Inc. v. GoDaddy Group, Inc.*, 623 F.3d 421, 425 (7th Cir. 2010)
- *International Shoe Co. v. State of Washington*, *International Shoe Co. v. Washington*, 326 U.S. 310, 316, 319 (1945)
- *Burger King Corp. v. Rudzewicz*, *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 472, 475-76 (1985)
- *Miliken v. Meyer*, 311 U.S. 457, 463 (1940)
- *Walden v. Fiore*, *Walden v. Fiore*, 571 U.S. 277, 284 (2014)
- *Helicopteros Nacionales de Colombia, S.A. v. Hall*, 466 U.S. 408, 417 (1984)
- *Advanced Tactical Ordnance Sys., LLC v. Real Action Paintball, Inc.*, 751 F.3d 796, 801-03 (7th Cir. 2014)
- *be2 LLC v. Ivanov*, 642 F.3d 555, 558-59 (7th Cir. 2011)
- *NBA Props., Inc. v. HANWJH*, 46 F.4th 614, 621-23 (7th Cir. 2022)
- *Fidrych v. Marriott International, Inc.*, 952 F.3d 124, 128-29, 139, 142-43 (4th Cir. 2020)
- *Mehta v. Starwood Hotels & Resorts, LLC*, No. 21-cv-01591, 2024 WL 4346611, at *1, *4 (N.D. Ill. Sept. 30, 2024)
- *Russell v. SNFA*, 987 N.E.2d 778, 781-83, 789, 797 (Ill. 2013)