

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
DAKOTA, SOUTHERN DIVISION

Jennifer Bohnstadt v. Walmart Inc., d/b/a Sam's Club

Bohnstadt · No. 4:26-CV-04071-ECS · Decided May 15, 2026

SUMMARY

The United States District Court for the District of South Dakota denies Jennifer Bohnstadt’s renewed motion for a preliminary injunction in her employment-discrimination action against Walmart Inc. The court concludes that the Federal Rules of Civil Procedure and existing legal obligations adequately protect relevant evidence and that Bohnstadt has not shown irreparable harm, sufficient likelihood of success, or that the balance of hardships favors an injunction. The denial does not eliminate Walmart’s obligation to preserve relevant evidence.

CASE DETAILS

COURT	United States District Court for the District of South Dakota, Southern Division
WRITING FOR THE COURT	Price C. Schulte
JURISDICTION	United States District Court for the District of South Dakota, Southern Division
DECIDED	May 15, 2026
DOCKET	4:26-CV-04071-ECS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, proceeding pro se in an employment-discrimination action, filed a renewed motion for a preliminary injunction seeking evidence-preservation measures and restrictions on certain Walmart employees' access to relevant systems.
STANDARD OF REVIEW	Preliminary-injunction relief is evaluated under the Dataphase factors: threat of irreparable harm, balance of harms, likelihood of success on the merits, and the public interest.
PRECEDENTIAL VALUE	unknown
PARTIES	Jennifer Bohnstadt v. Walmart Inc., d/b/a Sam's Club

TOPICS

injunctions

civil procedure

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Bohnstadt was entitled to a preliminary injunction requiring Walmart to implement and certify specified evidence-preservation measures.
2. Whether the court should restrict two Walmart employees' access to systems containing potentially relevant evidence.
3. Whether the Dataphase factors, including irreparable harm, balance of hardships, likelihood of success, and public interest, supported preliminary-injunction relief.

HOLDINGS

1. The renewed motion for a preliminary injunction was denied because Bohnstadt failed to show a certain and imminent threat of irreparable harm, the requested access restrictions would impose hardship on Walmart, her likelihood of success was unclear, and the public interest did not require an injunction beyond the preservation obligations and remedies already provided by law and the Federal Rules of Civil Procedure.
2. A separate preliminary injunction was unnecessary because Walmart was already obligated by law and the Federal Rules of Civil Procedure to preserve relevant evidence and was subject to remedies for spoliation.

KEY QUOTATIONS

“To succeed in demonstrating a threat of irreparable harm, a party must show that the harm is certain and great and of such imminence that there is a clear and present need for equitable relief.” (at 2)

“Consistent with this Court’s prior ruling, the law and the Federal Rules of Civil Procedure provide adequate protections for preservation of evidence and remedies for spoliation such that a preliminary injunction is not necessary.” (at 3)

FACTUAL BACKGROUND

Bohnstadt alleged employment discrimination and claimed that relevant evidence in OneNote, SharePoint, human-resources, and related systems had been edited or altered, including photographs and text. She sought an injunction requiring Walmart to certify preservation, preserve version histories and metadata, prevent alteration or destruction, and potentially restrict two employees' access to operational systems. The court found no evidence that Walmart had failed to preserve the material or lacked the ability to maintain its integrity, and concluded that an email concerning a stock award did not by itself establish a preservation failure.

PROCEDURAL HISTORY

Bohnstadt previously sought an emergency preservation order and a temporary restraining order. The court denied that relief because Walmart already had a legal obligation to preserve evidence and Bohnstadt failed to comply with Federal Rule of Civil Procedure 65(b) for temporary restraining-order relief. Bohnstadt then filed the renewed motion for a preliminary injunction, which Walmart opposed; the court denied the renewed motion.

DISPOSITION

other

CASES CITED

- Dataphase Sys., Inc. v. C L Sys., Inc., 640 F.2d 109, 113 (8th Cir. 1981) (en banc)
- Roudachevski v. All-American Care Ctrs., Inc., 648 F.3d 701, 706 (8th Cir. 2011)
- Buergofol GmbH v. Omega Liner Co., No. 4:22-CV-04112-KES, 2024 WL 4882205, at *1 (D.S.D. Nov. 25, 2024)

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