

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO

Wolek v. Northern Ohio Surgery Center, LLC

Wolek · No. 1:25-cv-00248-PAB · Decided November 26, 2025

SUMMARY

The United States District Court for the Northern District of Ohio denied Defendants’ motion for sanctions under 28 U.S.C. § 1927 and the Court’s inherent authority. The Court held that Plaintiff’s counsel had a good-faith basis to file the action in New Jersey because the relevant New Jersey federal decisions were nonbinding and persuasive authority suggested that personal jurisdiction over out-of-state employers might exist. The Court also found no bad faith, vexatious conduct, or improper purpose warranting inherent-authority sanctions.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio
WRITING FOR THE COURT	Pamela A. Barker
JURISDICTION	United States District Court for the Northern District of Ohio
DECIDED	November 26, 2025
DOCKET	1:25-cv-00248-PAB
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for sanctions under 28 U.S.C. § 1927 and the court's inherent authority based on Plaintiff's filing of the action in New Jersey. The court denied the motion.
STANDARD OF REVIEW	The court evaluated whether counsel objectively fell short of the obligations owed to the court and whether the conduct unreasonably and vexatiously multiplied proceedings under § 1927. For inherent-authority sanctions, the court applied the bad-faith, vexatiousness, wantonness, or oppression standard.
PRECEDENTIAL VALUE	unknown
PARTIES	Northern Ohio Surgery Center, LLC, Reuben Gobezie, Mary Meier

TOPICS

- sanctions
- personal jurisdiction
- venue
- civil procedure

PRACTICE AREAS

civil procedure

sanctions

personal jurisdiction

remedies

QUESTIONS PRESENTED

1. Whether Plaintiff's counsel's filing of the action in New Jersey unreasonably and vexatiously multiplied the proceedings, warranting sanctions under 28 U.S.C. § 1927.
2. Whether Plaintiff's counsel acted in bad faith, vexatiously, wantonly, oppressively, or for an improper purpose so as to warrant sanctions under the court's inherent authority.

HOLDINGS

1. Sanctions under 28 U.S.C. § 1927 were not warranted because Plaintiff's counsel did not objectively fall short of the obligations owed by a member of the bar and had a good-faith basis to file the complaint in New Jersey state court.
2. Inherent-authority sanctions were not warranted because Plaintiff's counsel did not act in bad faith, vexatiously, wantonly, oppressively, or for an improper purpose, and the filing was not meritless.

KEY QUOTATIONS

"While Crosson and Higgins are certainly persuasive, the New Jersey Superior Court was not bound to follow these cases." (6)

"There is a difference between advancing a losing argument and in prosecuting a frivolous case. Here we have the former, not the latter." (7)

"The mere fact that an action is without merit does not amount to bad faith." (8)

"While opposing Defendants' arguments before Judge Quraishi was potentially a losing argument, such argument could have been made in good faith notwithstanding Crosson." (9)

FACTUAL BACKGROUND

Plaintiff filed suit in New Jersey state court against an out-of-state surgery center and individual defendants, apparently based in part on the employment of a remote worker located in New Jersey. After removal to federal court, Defendants relied on District of New Jersey decisions questioning personal jurisdiction over employers whose only New Jersey connection was a remote employee. Plaintiff nevertheless consented to transfer to Ohio, and Defendants sought sanctions for the original New Jersey filing. The court found that New Jersey state courts were not bound by the cited federal district court decisions and that persuasive authority supported Plaintiff's jurisdictional position.

PROCEDURAL HISTORY

Plaintiff filed the action in New Jersey Superior Court. Defendants removed it to the District of New Jersey, where Plaintiff consented to transfer under 28 U.S.C. § 1631 after Defendants indicated they would seek dismissal for lack of personal jurisdiction. The case was transferred to the Northern District of Ohio, and Defendants then moved for sanctions. The court denied sanctions under both § 1927 and its inherent authority.

DISPOSITION

other

CASES CITED

- Crosson v. TMF Health Quality Inst., No. 20-18800 (NZQ), 2023 U.S. Dist. LEXIS 49371 (D.N.J. Mar. 22, 2023)
- Higgins v. Newsmax Broad. LLC, No. 2:23-cv-03628 (BRM) (AME), 2024 U.S. Dist. LEXIS 109248 (D.N.J. June 20, 2024)
- Red Carpet Studios Div. of Source Advantage, Ltd. v. Sater, 465 F.3d 642, 646 (6th Cir. 2006)
- In re Ruben, 825 F.2d 977, 984 (6th Cir. 1987)
- Jones v. Cont'l Corp., 789 F.2d 1225, 1230-31 (6th Cir. 1986)
- Rentz v. Dynasty Apparel Indus., 556 F.3d 389, 396 (6th Cir. 2009)
- Bojicic v. Dewine, 145 F.4th 668, 673 (6th Cir. 2025)
- Hall v. Liberty Life Assur. Co., 595 F.3d 270, 275-76 (6th Cir. 2010)
- Mid-State Securities Corp. v. Edwards, 706 A.2d 773, 775 (N.J. App. Div. 1998)
- State v. Burnett, 755 N.E.2d 857, 862 (Ohio 2001)
- Bosket v. Inverse Medical, LLC, et al., No. MID-L-004451-23 (N.J. Sup. Ct. Nov. 17, 2023)
- Dilliard v. Thomasville Auto Sales, LLC, 221 F. Supp. 3d 677, 684 (M.D.N.C. 2016)
- Connors & Co. v. McKinley Capital Mgmt., No. 1:08-CV-2744-BBM, 2009 U.S. Dist. LEXIS 138377, at *6 (N.D. Ga. Aug. 28, 2009)
- Chrimar Sys. v. Foundry Networks, Inc., 976 F. Supp. 2d 918, 927 (E.D. Mich. 2013)
- Metz v. Unizan Bank, 655 F.3d 485, 489 (6th Cir. 2011)
- United States v. Llanez-Garcia, 735 F.3d 483, 492 (6th Cir. 2013)
- United States v. Aleo, 681 F.3d 290, 305 (6th Cir. 2012)
- BDT Prods. v. Lexmark Int'l, Inc., 602 F.3d 742, 753 (6th Cir. 2010)
- Chambers v. NASCO, Inc., 501 U.S. 32, 46 (1991)
- First Bank of Marietta v. Hartford Underwriters Ins. Co., 307 F.3d 501, 523 n.18 (6th Cir. 2002)
- Big Yank Corp. v. Liberty Mut. Fire Ins. Co., 125 F.3d 308, 314 (6th Cir. 1997)
- Lafleur v. Yardi Sys., Inc., 765 F. Supp. 3d 640, 652 (N.D. Ohio 2025)
- Kelly v. Union Elec. Co., No. 07-04210-CV-C-NKL, 2008 U.S. Dist. LEXIS 425, at *6 (W.D. Mo. Jan. 3, 2008)