

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE

Mawule Tepe v. Whirlpool Corporation

No. 1:23-CV-00144-DCLC-CHS · No. No. 1:23-CV-00144-DCLC-CHS · Decided February 27, 2026

SUMMARY

The United States District Court for the Eastern District of Tennessee granted Whirlpool Corporation’s motion to dismiss a pro se former employee’s claim. The court construed the pleading as a claim for intentional infliction of emotional distress rather than a workers’ compensation claim and held that the allegations did not plausibly establish outrageous conduct. The court dismissed the claim, denied pending motions as moot, rejected a report and recommendation as moot, and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee
WRITING FOR THE COURT	Clifton L. Corker
JURISDICTION	United States District Court for the Eastern District of Tennessee
DECIDED	February 27, 2026
DOCKET	No. 1:23-CV-00144-DCLC-CHS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Whirlpool removed Tepe's Tennessee state-court workers' compensation complaint to federal court and moved to dismiss under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true and construes them in the plaintiff's favor, but disregards legal conclusions, labels, and formulaic recitations. The complaint must contain sufficient factual matter to state a facially plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion; nonprecedential
PARTIES	Mawule Tepe v. Whirlpool Corporation

TOPICS

- motions to dismiss
- intentional infliction of emotional distress
- civil procedure
- employment law

PRACTICE AREAS

civil procedure

torts

employment law

workers compensation

QUESTIONS PRESENTED

1. Whether the court should construe Tepe's pro se pleading according to its substance rather than its workers' compensation caption.
2. Whether Tepe's allegations plausibly stated a claim for intentional infliction of emotional distress under Tennessee law.
3. Whether the alleged workplace discrimination, harassment, retaliation, compensation disputes, and conclusory fraud and conspiracy allegations constituted sufficiently extreme and outrageous conduct.

HOLDINGS

1. A pro se pleading is construed according to the substance of its allegations rather than its caption or label; Tepe's pleading asserted an intentional infliction of emotional distress claim rather than a claim for workers' compensation benefits.
2. Tepe failed to state a plausible claim for intentional infliction of emotional distress because his allegations did not adequately plead conduct that was sufficiently extreme and outrageous.
3. Tepe's attempt to hold Whirlpool liable for its managers' alleged tortious conduct relied on respondeat superior.

KEY QUOTATIONS

"To withstand a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6), a complaint must contain 'sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" (at 2)

"The burden for a plaintiff to demonstrate outrageous conduct is a high burden indeed," (at 6)

"To qualify as outrageous, conduct must be 'so extreme in degree, as to go beyond all bounds of decency, and to be regarded as atrocious and utterly intolerable in a civilized community.'" (at 6)

FACTUAL BACKGROUND

Tepe alleged that he was a former Whirlpool employee who suffered emotional and psychological injury at work because of conduct by former managers. He characterized the conduct as intentional, outrageous, discriminatory, retaliatory, harassing, and involving unpaid compensation and alleged fraud or conspiracy. He sought relief under Tennessee workers' compensation laws, but the court concluded that the substance of his allegations asserted an intentional infliction of emotional distress claim against Whirlpool based on respondeat superior.

PROCEDURAL HISTORY

Tepe filed a complaint in the Circuit Court for Bradley County, Tennessee, captioned as a workers' compensation complaint. Whirlpool removed the action to the Eastern District of Tennessee and moved to dismiss. Tepe did not respond. The court treated the substance of the pleading as a claim for intentional infliction of emotional

distress, rejected a magistrate judge's report and recommendation as moot, granted the motion to dismiss, denied Tepe's pending motions as moot, and closed the case.

DISPOSITION

dismissed

CASES CITED

- In re Mawule Tepe, No. 1:23-mc-00025 (E.D. Tenn. Jan. 11, 2024)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Mixon v. Ohio, 193 F.3d 389, 400 (6th Cir. 1999)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Winters v. Taskila, 88 F. 4th 665, 669 (6th Cir. 2023)
- Sanders v. Ill. Dep't of Ctr. of Mgmt. Servs., 593 F. App'x 575, 577 (7th Cir. 2015)
- Collins v. Holinka, 510 F.3d 666, 667 (7th Cir. 2007)
- Lewis v. Att'y Gen., 878 F.2d 714, 722 n.20 (3d Cir. 1989)
- Binns v. Trader Joe's East, Inc., 690 S.W.3d 241, 247 (Tenn. 2024)
- Valencia v. Freeland & Lemm Constr. Co., 108 S.W.3d 239, 242 (Tenn. 2003)
- Lemon v. Williamson Cnty. Schs., 618 S.W.3d 1, 21 (Tenn. 2021)
- Bain v. Wells, 936 S.W.2d 618, 622 (Tenn. 1997)
- Arnett v. Domino's Pizza I, LLC, 124 S.W.3d 529, 540 (Tenn. Ct. App. 2003)
- West v. Genuine Parts Co., No. 3:11-CV-252, 2011 WL 4356361, at *2 (E.D. Sept. 16, 2011)
- Briordy v. Chloe Foods Corp., No. 3:07-0295, 2008 WL 587503, at *10 (M.D. Tenn. Feb. 29, 2008)
- Friedmann v. Campbell, No. 98-6728, 1999 WL 1045281, at *1 (6th Cir. Nov. 8, 1999)

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