

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MISSOURI

Three Dog Bakery, LLC v. J.L.E.T. Enterprises SWF, LLC; J.L.E.T.
Enterprises, LLC; Paws on the Pavement, LLC; K2Peach, Inc.

Three Dog Bakery · No. Nos. 4:25-cv-442-DGK, 4:25-cv-504-DGK, 4:25-cv-505-DGK, 4:25-cv-508-DGK ·
Decided December 8, 2025

SUMMARY

The United States District Court for the Western District of Missouri grants in part and denies in part motions to consolidate several related franchise disputes. The court consolidates the cases for discovery and pretrial purposes only, declines to consolidate them for trial at that stage, and orders future filings to be made in the lead case.

CASE DETAILS

COURT	United States District Court for the Western District of Missouri
WRITING FOR THE COURT	Greg Kays
JURISDICTION	United States District Court for the Western District of Missouri
DECIDED	December 8, 2025
DOCKET	Nos. 4:25-cv-442-DGK, 4:25-cv-504-DGK, 4:25-cv-505-DGK, 4:25-cv-508-DGK
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to consolidate five related franchise disputes. The court granted consolidation for discovery and pretrial purposes, but denied consolidation for trial at that stage.
STANDARD OF REVIEW	The court applied the discretionary balancing standard under Federal Rule of Civil Procedure 42(a), weighing the convenience and economy of consolidation against potential inefficiency, inconvenience, confusion, or unfair prejudice.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not identified in the opinion.

TOPICS

- joinder
- civil procedure
- breach of contract
- trade secrets
- commercial litigation

PRACTICE AREAS

civil procedure

contracts

commercial litigation

trade secrets

intellectual property

QUESTIONS PRESENTED

1. Whether the related franchise cases involved common questions of law or fact warranting consolidation under Federal Rule of Civil Procedure 42(a).
2. Whether consolidation was appropriate for discovery and pretrial proceedings despite the plaintiff's asserted concerns about individual issues, delay, expense, confusion, and prejudice.
3. Whether the record supported consolidation of the cases for trial.

HOLDINGS

1. The cases should be consolidated for discovery and pretrial proceedings because they share substantial common legal and factual issues, and consolidation will promote efficiency, reduce costs, and avoid inconsistent rulings without prejudicing the plaintiff at this stage.
2. The cases should not be consolidated for trial at the present stage because the record is not sufficiently developed to assess potential jury confusion or prejudice.

KEY QUOTATIONS

"When cases 'involve a common question of law or fact,' the Court may '(1) join for hearing or trial any or all matters at issue in the actions; (2) consolidate the actions; or (3) issue any other orders to avoid unnecessary cost or delay.'" (1)

"Consolidation is favored 'when two cases involve 'common parties, overlapping legal issues, and related factual scenarios.'" (1)

FACTUAL BACKGROUND

Three Dog Bakery entered substantially identical franchise agreements with several franchisees, authorizing them to operate dog-treat bakeries using the franchisor's marks, recipes, confidential information, and business system. The plaintiff alleged that the franchisees breached their agreements and misappropriated trade secrets by continuing operations, failing to pay royalties, using licensed marks and confidential information, and refusing to return the operating manual. The defendants asserted substantially identical counterclaims for breach of contract, breach of the covenant of good faith and fair dealing, and unjust enrichment.

PROCEDURAL HISTORY

The plaintiff brought substantially similar contract and trade-secret actions against several franchisees in separate cases. The defendants moved to consolidate those cases with a related action involving Crit, Inc.; the plaintiff opposed consolidation. The district court granted the motions in part and denied them in part.

DISPOSITION

other

CASES CITED

- Keil v. Bearden, No. 18-06074-CV-SJ-BP, 2021 WL 7708479, at *1 (W.D. Mo. Nov. 17, 2021)
- Horizon Asset Mgmt. v. H&R Block, Inc., 580 F.3d 755, 768 (8th Cir. 2009)

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