

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Broullire v. Ingle

Broullire · No. Civil Action No. 25-1403 (TJK) · Decided February 27, 2026

SUMMARY

The United States District Court for the District of Columbia held that a congressional staffer and a congressman were acting within the scope of their federal employment when a vehicle accident occurred. Applying the Westfall Act and District of Columbia law, the court declined to permit jurisdictional discovery and upheld substitution of the United States as the defendant. The court dismissed the case for lack of subject-matter jurisdiction because the plaintiff had not exhausted the Federal Tort Claims Act's administrative remedies.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Timothy J. Kelly
JURISDICTION	United States District Court for the District of Columbia
DECIDED	February 27, 2026
DOCKET	Civil Action No. 25-1403 (TJK)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The United States, substituted as defendant under the Westfall Act after an Attorney General delegate certified that the federal employees were acting within the scope of employment, moved to dismiss for lack of subject matter jurisdiction based on failure to exhaust administrative remedies under the FTCA. Broullire moved to remand and requested jurisdictional discovery.
STANDARD OF REVIEW	On a Rule 12(b)(1) motion, the plaintiff bears the burden of establishing subject matter jurisdiction. The Court assumed the truth of material factual allegations and drew all reasonable inferences in the plaintiff's favor. The Court reviewed the scope-of-employment certification to determine whether Broullire alleged sufficient facts to rebut it and obtain limited jurisdictional discovery.
PRECEDENTIAL VALUE	published
PARTIES	Patricia M. Broullire v. United States of America

TOPICS

subject matter jurisdiction

civil procedure

negligence

federal employment law

federalism

PRACTICE AREAS

Federal Tort Claims Act

Westfall Act

federal civil procedure

sovereign immunity

negligence

QUESTIONS PRESENTED

1. Whether the Attorney General's scope-of-employment certification for Ingle and Boyle was rebutted by sufficient factual allegations to justify remand or limited jurisdictional discovery.
2. Whether the claims were governed by the Federal Tort Claims Act after substitution of the United States as defendant.
3. Whether Broullire's failure to exhaust administrative remedies deprived the Court of subject matter jurisdiction and required dismissal.

HOLDINGS

1. Broullire did not allege specific facts that, taken as true, would establish that Ingle and Boyle acted outside the scope of their federal employment; therefore, the certification stood and limited jurisdictional discovery was unwarranted.
2. Because Ingle and Boyle were deemed to have acted within the scope of their federal employment, the United States was properly substituted as defendant and the negligence claims were governed by the FTCA.
3. The Court lacked subject matter jurisdiction because Broullire did not first present her claims to the appropriate federal agency, the House of Representatives, as required by the FTCA.

KEY QUOTATIONS

“But it does constitute prima facie evidence that the employee was acting within the scope of his employment.” (3)

“To rebut the certification and obtain discovery, a plaintiff must ‘alleg[e] sufficient facts that, taken as true, would establish that the defendant[’s] actions exceeded the scope of [his] employment.’” (3)

“When, as here, there is an “absence of such allegations”—and when the “discovery demands appear to be nothing more than a fishing expedition for fact that might give rise to a viable scope-of-employment claim”—it would flip the Westfall Act’s burden of proof “on its head” to permit discovery.” (8)

FACTUAL BACKGROUND

Broullire alleged that on March 1, 2023, while walking in Georgetown, she and a coworker were struck by a car driven by Peter Ingle, a staffer for Congressman Brendan Boyle. She alleged that Ingle was backing out of an illegally parked vehicle at Boyle's direction and was distracted by a conversation with Boyle, who was in the passenger seat. Broullire alleged serious physical and cognitive injuries, including a crushed tibial plateau and

concussion. She did not allege that she had first presented an administrative claim to the House of Representatives.

PROCEDURAL HISTORY

Broullire sued Peter Ingle and Congressman Brendan Boyle in D.C. Superior Court for negligence, gross negligence, and willful and wanton negligence arising from a vehicle accident. The Attorney General's delegate certified that Ingle and Boyle acted within the scope of federal employment, the United States was substituted as defendant, and the case was removed to the District Court. The District Court denied remand and jurisdictional discovery, granted the United States' motion to dismiss, denied the request for oral argument, and dismissed the case.

DISPOSITION

dismissed

CASES CITED

- Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377 (1994)
- DaimlerChrysler Corp. v. Cuno, 547 U.S. 332, 342 (2006)
- Am. Nat'l Ins. Co. v. FDIC, 642 F.3d 1137, 1139 (D.C. Cir. 2011)
- Schindler Elevator Corp. v. WMATA, 16 F.4th 294, 296 (D.C. Cir. 2021)
- McNeil v. United States, 508 U.S. 106, 113 (1993)
- Gutierrez de Martinez v. Lamagno, 515 U.S. 417, 420 (1995)
- Council on Am. Islamic Rels. v. Ballenger, 444 F.3d 659, 662, 664 (D.C. Cir. 2006)
- Wuterich v. Murtha, 562 F.3d 375, 381, 386 (D.C. Cir. 2009)
- Stokes v. Cross, 327 F.3d 1210, 1214-16 (D.C. Cir. 2003)
- Moseley v. Second New St. Paul Baptist Church, 534 A.2d 346, 348 n.4 (D.C. 1987)
- Harbury v. Hayden, 522 F.3d 413, 422 & n.4 (D.C. Cir. 2008)
- Trump v. Caroll, 292 A.3d 220, 230-32 (D.C. 2023)
- District of Columbia v. Davis, 386 A.2d 1195, 1203 (D.C. 1978)
- Salus Corp. v. Cont'l Cas. Co., 478 A.2d 1067, 1069-70 (D.C. 1984)