

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS, PEORIA DIVISION

John Stachewicz, Successor in Interest to Nancy Stachewicz, v.
Certege Payment Solutions, LLC

Stachewicz · No. 1:23-cv-01258-JEH-RLH · Decided January 12, 2026

SUMMARY

The United States District Court for the Central District of Illinois overruled Certege Payment Solutions, LLC’s objection to the magistrate judge’s order substituting John Stachewicz for the deceased plaintiff under Federal Rule of Civil Procedure 25(a). The court held that the magistrate judge’s substitution decision was neither clearly erroneous nor contrary to law, and that production of the decedent’s will further supported John Stachewicz’s status as the proper party. The court denied the pending class-certification and summary-judgment motions without prejudice to renewal, authorized the parties to seek reopening of discovery, and referred the case for further proceedings.

CASE DETAILS

COURT	United States District Court for the Central District of Illinois, Peoria Division
WRITING FOR THE COURT	Jonathan E. Hawley
JURISDICTION	United States District Court for the Central District of Illinois, Peoria Division
DECIDED	January 12, 2026
DOCKET	1:23-cv-01258-JEH-RLH
DISPOSITION	other
PROCEDURAL POSTURE	The defendant objected under Federal Rule of Civil Procedure 72(a) to a magistrate judge's order substituting John Stachewicz for the deceased plaintiff under Rule 25(a), and moved to hold that order in abeyance pending discovery concerning whether John was a proper party. The district court overruled the objection, denied the motion to hold the order in abeyance, denied the pending class-certification and summary-judgment motions with leave to renew, and authorized the parties to seek reopening of discovery.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(a), a district court may modify or set aside a magistrate judge's order on a nondispositive

	pretrial matter only if the order is clearly erroneous or contrary to law.
PRECEDENTIAL VALUE	Unknown
PARTIES	Certegy Payment Solutions, LLC v. John Stachewicz, Successor in Interest to Nancy Stachewicz, deceased

TOPICS

civil procedure discovery dispute class actions summary judgment probate procedure

PRACTICE AREAS

Civil procedure Fair Credit Reporting Act Probate and estate administration

QUESTIONS PRESENTED

1. Whether the magistrate judge's order substituting John Stachewicz as plaintiff under Federal Rule of Civil Procedure 25(a) was clearly erroneous or contrary to law.
2. Whether the district court should hold the substitution order in abeyance to permit discovery into John's status, competence, and capacity.
3. What effect the substitution and anticipated additional discovery should have on the pending motions for class certification and summary judgment.

HOLDINGS

1. The magistrate judge's order substituting John Stachewicz as plaintiff was neither clearly erroneous nor contrary to law.
2. The court denied Certegy's request to hold the substitution order in abeyance. Any additional discovery concerning John's competence could proceed in the ordinary course under Rule 17(c) and did not justify undoing or suspending the substitution order.
3. The plaintiff's motion for class certification and the defendant's motion for summary judgment were denied with leave to renew; related sealed filings and the motion to strike were rendered moot.

KEY QUOTATIONS

“means that the district court can overturn the magistrate judge’s ruling only if the district court is left with the definite and firm conviction that a mistake has been made[.]” (ECF pp. 17-18)

“Rule 25 “does not empower courts to conduct a freewheeling analysis of the relative ‘interests’ involved before allowing substitution.”” (ECF p. 20)

“Certegy may request to depose him and conduct discovery into his competence” (ECF pp. 25-26)

FACTUAL BACKGROUND

Nancy Stachewicz filed a Fair Credit Reporting Act action alleging that Certegy's procedures were insufficient. While discovery was underway and motions for class certification and summary judgment were pending, Nancy died. Her surviving husband, John Stachewicz, moved to substitute as plaintiff, and the magistrate judge granted the motion based in part on John's affidavit identifying him as the executor and proper party. Nancy's will, later produced to Certegy, nominated John as executor and granted the executor broad authority over the estate.

PROCEDURAL HISTORY

Nancy Stachewicz initially brought a Fair Credit Reporting Act action against Certegy Payment Solutions, LLC. After Nancy died, her counsel filed a suggestion of death, and John Stachewicz, her surviving husband, moved under Rule 25(a) to be substituted as plaintiff. The magistrate judge granted substitution. Certegy timely objected under Rule 72(a), arguing that the determination that John was a proper party was premature and that discovery was necessary. The district court rejected the objection and directed the case to proceed, while allowing renewed motions after additional discovery.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. The parties were granted leave to file a joint motion to reopen discovery, and the case was again referred to the magistrate judge for further proceedings. The class-certification and summary-judgment motions were denied with leave to renew.

CASES CITED

- Rodriguez v. City of Chi., 429 F. Supp. 3d 537, 540 (N.D. Ill. 2019)
- Weeks v. Samsung Heavy Indus. Co., Ltd., 126 F.3d 926, 943-44 (7th Cir. 1997)
- Stueve Constr., LLC v. Weber Plumbing and Heating, Inc., No. 19-CV-2072, 2021 WL 3032665, at *2 (C.D. Ill. July 19, 2021)
- Henry v. Centeno, No. 10 C 6364, 2011 WL 3796749, at *1 (N.D. Ill. Aug. 23, 2011)