

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO

J.B., a minor, by her Father and next friend, Guy Blume, et al. v.
Liberty Local Schools

Blume · No. 4:22CV1752 · Decided December 19, 2025

SUMMARY

The United States District Court for the Northern District of Ohio denied Guy Blume’s pro se motion to amend the complaint or voluntarily dismiss the action because it was superseded by a later motion to amend. The court also denied Plaintiffs’ later motion to amend. The opinion recounts the factual allegations concerning a reported sexual assault at Liberty Local Middle School and the parties’ litigation history, including pending cross-motions for summary judgment.

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	December 19, 2025
DOCKET	4:22CV1752
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for leave to amend their complaint after expiration of the scheduling-order pleading-amendment deadline. Plaintiff Guy Blume also moved pro se to amend or voluntarily dismiss the action. The court denied the pro se motion as superseded and denied the counseled motion to amend.
STANDARD OF REVIEW	A motion to amend filed after a scheduling-order deadline is governed first by Federal Rule of Civil Procedure 16(b)'s good-cause standard and, if good cause is shown, by Rule 15(a)(2)'s liberal amendment standard. The primary measure of good cause is the moving party's diligence; prejudice to the opposing party is also relevant.
PRECEDENTIAL VALUE	Nonprecedential district-court memorandum opinion and order
PARTIES	J.B., a minor, by her father and next friend, Guy Blume, et al. v. Liberty Local Schools

TOPICS

motion to amend civil procedure pleadings summary judgment

PRACTICE AREAS

Federal civil procedure Pleading amendment Civil rights and education law Title IX litigation

QUESTIONS PRESENTED

1. Whether Plaintiff Guy Blume's pro se motion to amend or voluntarily dismiss should be considered or was superseded by the later motion filed by appointed counsel.
2. Whether plaintiffs established good cause under Federal Rule of Civil Procedure 16(b) to modify the expired pleading-amendment deadline.
3. If good cause existed, whether amendment should be permitted under Federal Rule of Civil Procedure 15(a)(2).
4. Whether alleged deficiencies or misconduct by plaintiffs' former attorney established good cause for an untimely amendment.
5. Whether the proposed amendment would unduly prejudice the defendant because it was sought after discovery closed and summary-judgment motions were pending.

HOLDINGS

1. Plaintiff Blume's March 2025 pro se motion to amend or voluntarily dismiss was superseded and replaced by the August 2025 motion to amend filed by pro bono counsel and was therefore denied on that basis.
2. Plaintiffs failed to establish good cause under Rule 16(b) for modifying the March 30, 2023 pleading-amendment deadline.
3. Amendment was denied because plaintiffs did not first satisfy Rule 16(b), and the late amendment would substantially prejudice Liberty Local by requiring additional discovery and expense after discovery had closed and summary-judgment motions were pending.

KEY QUOTATIONS

“Rule 15 provides that “[t]he court should freely give leave” to amend a pleading “when justice so requires.”” (at 17)

“A court asked to modify a scheduling order for good cause ‘may only do so if [a deadline] cannot reasonably be met despite the diligence of the party seeking the extension.’” (at 17)

“The primary measure of Rule 16’s ‘good cause’ standard is the moving party’s diligence in attempting to meet the case management order’s requirements.” (at 24)

“If Gordon’s allegations are correct, her attorney’s conduct went well beyond “garden variety” neglect.” (at 29-30)

“allowing an amendment after discovery is closed and summary judgment motions are fully briefed imposes significant prejudice on defendants.” (at 33)

FACTUAL BACKGROUND

J.B., a Liberty Local Middle School student, reported that another student sexually assaulted her in a school bathroom on November 18, 2021. After she reported the incident on December 2, school officials initiated an investigation and promised measures to prevent contact between the students, but J.B. testified that she encountered the other student and harassment at school on December 3 and December 6. J.B. was removed from in-person attendance, enrolled in remote instruction, and later transferred to another school district.

PROCEDURAL HISTORY

Plaintiffs originally filed claims under Title IX, spoliation, and defective design against Liberty Local Schools, David Palmer, and David Walker. The court dismissed Palmer and Walker from the Title IX claim with prejudice and dismissed the spoliation and defective-design claims without prejudice, leaving only the Title IX claim against Liberty Local Schools. After the March 30, 2023 amendment deadline, completion of fact and expert discovery, and filing of cross-motions for summary judgment, Blume moved pro se to amend or voluntarily dismiss. The court later appointed pro bono counsel, who filed a new motion seeking to add numerous parties and claims. The court denied both motions addressed in this opinion.

DISPOSITION

other

CASES CITED

- Leary v. Daeschner, 349 F.3d 888, 906-909 (6th Cir. 2003)
- Armatas v. Haws, 2021 WL 5356028, at *3 (6th Cir. 2021)
- Carrizo (Utica) LLC v. City of Girard, Ohio, 661 Fed. Appx. 364, 367-368 (6th Cir. 2016)
- Satterwhite v. Ashtabula County Metroparks, 514 F. Supp. 3d 1014, 1021-1022 (N.D. Ohio 2021)
- Marcilis v. Twp. of Redford, 693 F.3d 589, 597 (6th Cir. 2012)
- Helena Agri-Enterprises, LLC v. AAA Turf, Inc., 2023 WL 4842838, at *2 (6th Cir. July 28, 2023)
- Inge v. Rock Fin. Corp., 281 F.3d 613, 625 (6th Cir. 2002)
- Bradford v. DANA Corp., 249 F.3d 807, 809 (8th Cir. 2001)
- Teft v. Seward, 689 F.2d 637, 639 (6th Cir. 1982)
- Carson v. U.S. Office of Special Counsel, 633 F.3d 487, 495 (6th Cir. 2011)
- Crawford v. Roane, 53 F.3d 750, 753 (6th Cir. 1995)
- Gordon v. England, 354 Fed. Appx. 975, 977-982 (6th Cir. 2009)
- Scott v. New York Department of Corrections, 445 Fed. Appx. 389, 391 (2d Cir. 2011)
- Hussain v. Nicholson, 435 F.3d 359, 364 (D.C. Cir. 2006)
- Link v. Wabash R.R. Co., 370 U.S. 626, 633-634 (1962)

- Moore v. U.S. Postal Service, 369 Fed. Appx. 712, 718 (6th Cir. 2010)
- CrossCountry Mortgage, Inc. v. Messina, 2019 WL 13195209, at *3 (N.D. Ohio Oct. 8, 2019)
- Banks v. City of Philadelphia, 309 F.R.D. 287, 291-293 (E.D. Pa. 2015)
- Marlowe Patent Holdings LLC v. Dice Electronics, LLC, 293 F.R.D. 688, 701 (D.N.J. 2013)
- Wade v. Knoxville Utilities Bd., 259 F.3d 452, 459 (6th Cir. 2001)
- Garza v. Lansing School District, 972 F.3d 853, 879-880 (6th Cir. 2020)
- Church Joint Venture L.P. v. Blasingame, 947 F.3d 925, 934 (6th Cir. 2020)
- Siegner v. Twp. of Salem, 654 Fed. Appx. 223, 228 (6th Cir. 2016)
- Cummings v. Premier Rehab Keller, PLLC, 596 U.S. 212, 217-218, 222 (2022)
- S.C. v. Metropolitan Government of Nashville, 86 F.4th 707, 718 (6th Cir. 2023)

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