

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Jennifer Lynette Rawlings v. Well Biz Brands, et al.

Rawlings · No. 25-2141-EFM-ADM · Decided February 24, 2026

SUMMARY

The United States District Court for the District of Kansas grants Jennifer Lynette Rawlings’ renewed motion for leave to file a Third Amended Complaint in her action against WellBiz Brands and related defendants. The court finds no undue prejudice and declines to conclude that the proposed amendment is clearly futile, while noting that some claims may later be subject to dismissal. The court directs Rawlings to file the amended complaint within seven calendar days and cautions that no further amendments will be allowed.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Angel D. Mitchell
JURISDICTION	United States District Court for the District of Kansas
DECIDED	February 24, 2026
DOCKET	25-2141-EFM-ADM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to file a Third Amended Complaint after defendants opposed amendment on grounds of undue prejudice and futility. The magistrate judge granted the motion.
STANDARD OF REVIEW	Leave to amend under Federal Rule of Civil Procedure 15(a)(2) is committed to the court's sound discretion. Amendment may be denied for undue delay, undue prejudice, bad faith or dilatory motive, failure to cure deficiencies, or futility. An amendment is futile if the pleading as amended would be subject to dismissal.
PRECEDENTIAL VALUE	unpublished and nonprecedential memorandum and order
PARTIES	Jennifer Lynette Rawlings v. T&L Alashs, LLC, Hanover Insurance Group, LLC, WellBiz Brands, Inc., Amazing Lash Studio Franchise, LLC

TOPICS

motion to amend

pleadings

civil procedure

statute of limitations

personal injury

PRACTICE AREAS

civil procedure

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torts

consumer protection

QUESTIONS PRESENTED

1. Whether the proposed Third Amended Complaint would unduly prejudice defendants.
2. Whether the proposed amendment was futile because the claims were barred by the Kansas two-year statute of limitations.
3. Whether the proposed amendment was futile because it purportedly asserted claims under federal statutes or state regulations lacking private rights of action.
4. Whether the proposed amendment was clearly futile for failure to satisfy Federal Rule of Civil Procedure 9(b).

HOLDINGS

1. Defendants did not establish undue prejudice because the proposed amendment added factual allegations and clarified existing theories without adding a new claim or party or changing the subject matter of the action.
2. The proposed personal-injury claims were not clearly futile on statute-of-limitations grounds because the filing date related back to January 30, 2025, when the Western District of Missouri received the complaint and in forma pauperis motion, rather than February 26, 2025, when the complaint was formally docketed.
3. Defendants' futility argument concerning claims under the TSCA, FDCA, FTC Act, OSHA, and state cosmetology statutes was moot because Rawlings disclaimed asserting standalone claims under those regimes.
4. The proposed Third Amended Complaint was not shown to be entirely clearly futile, and the court declined to resolve claim-specific Rule 9(b) issues on the motion to amend. Defendants could renew those arguments in a motion to dismiss before the district judge.

KEY QUOTATIONS

“The rule’s purpose “is to provide litigants the maximum opportunity for each claim to be decided on its merits rather than on procedural niceties.”” (Section II)

“To be clear, even though the court is allowing amendment here, this is the last amendment to the complaint that the court intends to allow.” (Conclusion)

FACTUAL BACKGROUND

Rawlings alleges that she sustained an eye injury on February 6, 2023, during a lash procedure at an Amazing Lash Studio in Overland Park, Kansas, when a technician allegedly injected an unidentified toxic substance into

her orbital regions. Her existing and proposed pleadings asserted traditional tort, consumer-protection, civil-conspiracy, and civil-RICO theories while referring to federal regulatory schemes. The proposed amendment added and clarified factual allegations but did not add a new party or, according to Rawlings, assert standalone causes of action under statutes lacking private rights of action.

PROCEDURAL HISTORY

Rawlings initiated the action in the Western District of Missouri with an in forma pauperis motion and proposed complaint. The Western District of Missouri determined that it lacked personal jurisdiction over Amazing Lash Studio and that venue was improper, after which Rawlings paid the filing fee and the case was transferred to the District of Kansas. After filing an amended complaint and obtaining leave to file a Second Amended Complaint, Rawlings moved for leave to file a Third Amended Complaint while defendants' motions to dismiss were pending.

DISPOSITION

other

CASES CITED

- SCO Grp., Inc. v. Int'l Bus. Machines Corp., 879 F.3d 1062, 1085
- Wilkerson v. Shinseki, 606 F.3d 1256, 1267
- Foman v. Davis, 371 U.S. 178, 182 (1962)
- Eminence Capital, LLC v. Aspeon, Inc., 316 F.3d 1048, 1052
- Minter v. Prime Equip. Co., 451 F.3d 1196, 1204
- Minter v. Prime Equip. Co., 451 F.3d 1196, 1207-08
- Jefferson Cty. Sch. Dist. No. R-1 v. Moody's Inv'r's Servs., Inc., 175 F.3d 848, 859
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Mayfield v. Bethards, 826 F.3d 1252, 1255
- Jarrett v. U.S. Sprint Communications Co., 22 F.3d 256, 259 (10th Cir. 1994)
- Bailey v. Indical Mgmt., LLC, No. 19-1283-HLT-TJJ, 2020 WL 1151317, at *3 (D. Kan. Mar. 10, 2020)
- Prairie Band Potawatomi Nation v. Morse, No. 24-4066-KHV-RES, 2025 WL 823246, at *4 (D. Kan. Mar. 14, 2025)
- Phelps v. State of Kan., No. 23-2206-DDC-RES, 2025 WL 743975, at *6 (D. Kan. Mar. 7, 2025)
- Pallottino v. City of Rio Rancho, 31 F.3d 1023, 1027