

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE, GREENEVILLE DIVISION

James Michael Davis v. Bella Vista Enterprises, LLC, et al.

No. 2:26-CV-00099-DCLC-CRW (E.D. Tenn. June 8, 2026) · No. 2:26-CV-00099-DCLC-CRW · Decided June 8, 2026

SUMMARY

The United States District Court for the Eastern District of Tennessee granted Defendants’ motion to dismiss a contract dispute concerning the purchase of corporate stock. The court held that it lacked general and specific personal jurisdiction over the California defendants, concluding that communications and payments directed to Tennessee did not establish purposeful availment. The court denied or deemed moot Plaintiff’s associated motions.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee, Greeneville Division
WRITING FOR THE COURT	Clifton L. Corker
JURISDICTION	United States District Court for the Eastern District of Tennessee, Greeneville Division
DECIDED	June 8, 2026
DOCKET	2:26-CV-00099-DCLC-CRW
DISPOSITION	dismissed
PROCEDURAL POSTURE	After Defendants removed Plaintiff’s breach-of-contract action from Tennessee chancery court based on diversity jurisdiction, Defendants moved to dismiss under Federal Rule of Civil Procedure 12(b)(2) for lack of personal jurisdiction and under Rule 12(b)(6) for failure to state claims. Plaintiff filed an amended complaint and several motions. The district court treated the original motion to dismiss as directed to the amended complaint because the personal-jurisdiction defect remained.
STANDARD OF REVIEW	On a Rule 12(b)(2) motion decided without an evidentiary hearing, the court considers the pleadings and affidavits in the light most favorable to the plaintiff, and the plaintiff need only make a prima facie showing of personal jurisdiction. The court may not weigh controverting assertions by the party seeking dismissal.

TOPICS

personal jurisdiction

motions to dismiss

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Defendants' motion to dismiss became moot when Plaintiff filed an amended complaint as a matter of course.
2. Whether the court had general personal jurisdiction over Bella Vista or the individual defendant.
3. Whether Defendants purposefully availed themselves of Tennessee so that the court could exercise specific personal jurisdiction over the contract-related claims.
4. Whether the court needed to reach Defendants' Rule 12(b)(6) arguments concerning veil piercing and unjust enrichment after determining that personal jurisdiction was absent.
5. Whether Plaintiff showed good cause for an extension of time to respond to the motion to dismiss.

HOLDINGS

1. An amended complaint ordinarily supersedes the original complaint, but a motion to dismiss is not moot when the amended pleading retains a defect raised in the original motion; the court may treat the motion as directed to the amended complaint.
2. The court lacked general personal jurisdiction over Bella Vista and the individual defendant because Bella Vista was incorporated and principally located in California, and the individual defendant was domiciled in California.
3. The court lacked specific personal jurisdiction because Defendants did not purposefully avail themselves of the privilege of conducting activities in Tennessee.
4. The court did not reach Defendants' Rule 12(b)(6) arguments concerning veil piercing and unjust enrichment because the absence of personal jurisdiction was dispositive.

KEY QUOTATIONS

“To establish personal jurisdiction, an out-of-state defendant must choose to direct their activities toward the forum state; “[i]f instead they are choosing to direct their activities toward a particular person, and that person merely happens to live in the forum state, that is not enough.”” (Part III.B.2)

“The choice to send [payments] to Tennessee was for the plaintiff’s convenience, not for the purpose of permitting [the defendant] to avail itself of the privilege of conducting business in Tennessee.” (Part III.B.2)

FACTUAL BACKGROUND

Bella Vista Enterprises, LLC, a California company, agreed to purchase 562,500 shares of Ballistic Barrier Products, Inc. stock from Penobscot Enterprises International, Inc., a Colorado corporation, for \$1,125,000 payable under a schedule. Penobscot transferred the shares, Bella Vista made some payments, and Plaintiff alleged that Bella Vista stopped paying and owed at least \$625,000. Penobscot later assigned its contract rights to Plaintiff, who sought enforcement from Tennessee; the contract identified Colorado-related parties and Delaware choice-of-law and forum provisions, and the assignment was executed in Colorado and subject to Colorado law.

PROCEDURAL HISTORY

Plaintiff filed the original complaint in the Chancery Court for Sullivan County, Tennessee, on March 27, 2026. Defendants removed the action to the Eastern District of Tennessee on May 1, 2026. Plaintiff amended his complaint as a matter of course, and the district court denied the motion to deem Defendants' motion to dismiss moot, granted dismissal for lack of personal jurisdiction, and denied the remaining motions as moot or otherwise denied.

DISPOSITION

dismissed

CASES CITED

- Ky. Press Ass'n v. Kentucky, 355 F. Supp. 2d 853, 857 (E.D. Ky. 2005)
- Parry v. Mohawk Motors of Mich., Inc., 236 F.3d 299, 306 (6th Cir. 2001)
- Klein by Klein v. Caterpillar Inc., 581 F. Supp. 3d 912, 919 (E.D. Mich. 2022)
- Yates v. Applied Performance Techs., 205 F.R.D. 497, 499 (S.D. Ohio 2002)
- Jordan v. City of Philadelphia, 66 F. Supp. 2d 638, 641 n. 1 (E.D. Pa. 1999)
- Patton Elec. Co. v. Rampart Air, Inc., 777 F. Supp. 704, 712 (N.D. Ind. 1991)
- Schneider v. Hardesty, 669 F.3d 693, 697 (6th Cir. 2012)
- Bird v. Parsons, 289 F.3d 865, 871 (6th Cir. 2002)
- CompuServe, Inc. v. Patterson, 89 F.3d 1257, 1262 (6th Cir. 1996)
- Neogen Corp. v. Neo Gen Screening, Inc., 282 F.3d 883, 887 (6th Cir. 2002)
- MAG IAS Holdings, Inc. v. Schmückle, 854 F.3d 894, 899 (6th Cir. 2017)
- Theunissen v. Matthews, 935 F.2d 1454, 1459 (6th Cir. 1991)
- Ford Motor Co. v. Mont. Eighth Jud. Dist. Ct., 592 U.S. 351, 358-59 (2021)
- Parker v. Winwood, 938 F.3d 833, 839 (6th Cir. 2019)
- Goodyear Dunlop Tires Operations, S.A. v. Brown, 564 U.S. 915, 919, 929 (2011)
- Carbone v. Kaal, 140 F.4th 805, 810 (6th Cir. 2025)
- Daimler AG v. Bauman, 571 U.S. 117, 127, 132, 137 (2013)
- Southern Machine Co. v. Mohasco Indus. Inc., 401 F.2d 374, 381 (6th Cir. 1968)
- LAK, Inc. v. Deer Creek Enters., 885 F.2d 1293, 1299-1303 (6th Cir. 1989)

- Keeton v. Hustler Magazine, Inc., 465 U.S. 770, 774 (1984)
- Walden v. Fiore, Walden v. Fiore, 571 U.S. 277, 284-85 (2014)
- Calphalon Corp. v. Rowlette, 228 F.3d 718, 722-23 (6th Cir. 2000)
- Kerry Steel Inc. v. Paragon Industries, Inc., 106 F.3d 147, 151 (6th Cir. 1997)
- Scullin Steel Co. v. Nat'l Ry. Utilization Corp., 676 F.2d 309, 314 (8th Cir. 1982)
- Int'l Techs. Consultants, Inc. v. Euroglas S.A., 107 F.3d 386, 391, 395 (6th Cir. 1997)
- Baker v. Bensalz Prods., Inc., 480 F. Supp. 3d 792, 805 (S.D. Ohio 2020)
- Lanier v. American Board of Endodontics, 843 F.2d 901, 911 (6th Cir. 1988)
- Moore v. Shanahan Eng'g, Inc., No. 3:20-CV-00021, 2020 WL 5039443, at *5 (M.D. Tenn. Aug. 25, 2020)
- Freudensprung v. Offshore Tech. Servs., Inc., 379 F.3d 327, 344 (5th Cir. 2004)