

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Sabrina Archibald and Sade Archibald v. Scott Credit Union

Archibald · No. 25-cv-01031-JPG · Decided March 13, 2026

SUMMARY

The United States District Court for the Southern District of Illinois denied Sabrina and Sade Archibald’s request for judicial notice and an equitable accounting concerning an alleged unsettled debt. The court held that the requested facts were not relevant to the plaintiffs’ claims and that the plaintiffs had not shown the absence of an adequate remedy at law or sufficiently complicated accounts warranting an equitable accounting.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	J. Phil Gilbert
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	March 13, 2026
DOCKET	25-cv-01031-JPG
DISPOSITION	other
PROCEDURAL POSTURE	The court construed Plaintiffs' filing titled Judicial Notice and Demand for Equitable Accounting on Unsettled Debt as a motion and denied it.
STANDARD OF REVIEW	The court applied relevance under Federal Rule of Evidence 401 and exercised broad discretion in determining whether to order an equitable accounting.
PRECEDENTIAL VALUE	unpublished district court memorandum and order
PARTIES	Sabrina Archibald, Sade Archibald v. Scott Credit Union

TOPICS

- accounting
- equitable relief
- judicial notice
- evidence
- civil procedure

PRACTICE AREAS

- civil procedure
- equitable remedies
- consumer credit
- evidence

QUESTIONS PRESENTED

1. Whether the court should take judicial notice of alleged deficiencies and current-status facts concerning the loan account.
2. Whether Plaintiffs were entitled to an equitable accounting before resolution of the case.

HOLDINGS

1. The court declined to take judicial notice because the requested facts were not relevant to Plaintiffs' claims concerning disclosures made in 2021 and debt-collection practices and communications from 2023 through 2025.
2. Plaintiffs were not entitled to an equitable accounting because they failed to show that they lacked an adequate remedy at law or that the accounts were so complicated that only a court of equity could satisfactorily unravel them.

KEY QUOTATIONS

“For this Court to take judicial notice of a fact, it must find that the fact is relevant.” (at 1)

“However, there is a prerequisite: the plaintiff must not have an adequate remedy at law.” (at 1)

“the plaintiff must be able to show that the ‘accounts between the parties’ are of such a ‘complicated nature’ that only a court of equity can satisfactorily unravel them.” (at 1-2)

FACTUAL BACKGROUND

Plaintiffs' claims concern whether Scott Credit Union made adequate disclosures when the parties executed a 2021 loan agreement and whether its debt-collection practices and communications from 2023 through 2025 complied with applicable law. Plaintiffs sought judicial notice that the record lacked a complete account of charges, fees, credits, payments, post-default activity, ownership information, and settlement or discharge documentation. They also sought an equitable accounting of the alleged unsettled debt.

PROCEDURAL HISTORY

Plaintiffs filed a request seeking judicial notice of alleged deficiencies in the account record and an equitable accounting. Defendant responded. The district court declined to take judicial notice of the requested facts and denied the requested accounting.

DISPOSITION

other

CASES CITED

- First Commodity Traders, Inc. v. Heinold Commodities, Inc., 766 F.2d 1007, 1011 (7th Cir. 1985)
- Dairy Queen, Inc. v. Wood, 369 U.S. 469, 478 (1962)

OPINION

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS
SABRINA ARCHIBALD and SADE ARCHIBALD, Plaintiffs, Case No. 25-cv-01031-JPG v.
SCOTT CREDIT UNION, Defendant. MEMORANDUM AND ORDER This case is before the
Court on Plaintiffs Sabrina and Sade Archibald's Judicial Notice and Demand for Equitable
Accounting on Unsettled Debt (Doc. 53). Plaintiffs allege that the filing is "not a motion for relief,
nor a supplemental argument." However, the filing asks the Court to take judicial notice of certain
facts and order an equitable accounting.

As such, the Court will construe it as a motion. See FED. R. CIV. P. 7(b)(1) ("A request for a court
order must be made by motion."). Defendant Scott Credit Union filed a response (Doc. 54).
Plaintiffs first ask the Court to take judicial notice that the record is incomplete because it lacks:
(1) a full account of all charges, fees, insurance additions, credits, and payments; (2) a breakdown
of any charge off, assignment, or post default activity; (3) the identity of the current owner of the
obligation; and (4) documentation of any settlement, forgiveness, or discharge of balance.

For this Court to take judicial notice of a fact, it must find that the fact is relevant. Relevance is
defined as any tendency to make the existence of any fact that is of consequence to the
determination of the action more probable or less probable than it would be without the evidence.
See FED. R. EVID. 401.

The Court declines to take judicial notice of these facts because it finds that they are not relevant
to Plaintiffs' claims. Plaintiffs' claims are focused on whether Defendant made adequate
disclosures in 2021 when the parties executed the Loan Agreement and whether Defendant's debt
collection practices and communications between 2023 and 2025 complied with applicable law.

The current status of the account, and Defendant's present authority to collect on it, are not at issue
in this case.¹ Plaintiffs next request that the Court order an equitable accounting. They allege that
their amended complaint contains express equitable language requesting a full accounting,² and if
the Court decides the motion to dismiss before ordering such an accounting, it risks reversible
error.

The Court finds that it is not appropriate to order an accounting in this case. This Court has "broad
discretion" to determine whether to order an accounting. See *First Commodity Traders, Inc. v.*
Heinold Commodities, Inc., 766 F.2d 1007, 1011 (7th Cir, 1985).

However, there is a prerequisite: the plaintiff must not have an adequate remedy at law. See *Dairy
Queen, Inc. v. Wood*, 369 U.S. 469, 478 (1962), In other words, "the plaintiff must be able to show
that the 'accounts between the parties' are of such a 'complicated nature' that only a court of
equity can satisfactorily unravel them." *Id.* Here, Plaintiffs fail to make the required showing.

For the foregoing reasons, the Court DENIES Plaintiffs Sabrina and Sade Archibald's Judicial Notice and Demand for Equitable Accounting on Unsettled Debt (Doc. 53). IT IS SO ORDERED. DATED: March 13, 2026 s/ J. Phil Gilbert J. PHIL GILBERT United States District Judge 1 To the extent that Plaintiffs dispute the Court's determination that they were in default on the Loan Agreement, that conclusion was based solely on Plaintiffs own factual allegations.

2 The Court rejects Plaintiffs' argument that the amended complaint put it on notice that they were requesting an accounting. Simply using equitable language without asserting a claim or legal basis for an accounting does not put this Court on notice that an accounting is requested. 2