UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO

Veritas Independent Partners, LLC, et al., on behalf of all others similarly situated v. The Ohio National Life Insurance Company, et al.

Veritas · No. 1:18-cv-769 · Decided December 1, 2025

SUMMARY

The United States District Court for the Southern District of Ohio grants the parties’ joint motion under Federal Rule of Civil Procedure 21 to drop Avantax Investment Services, Inc. as a plaintiff. Avantax’s claims and related potential claims concerning ONcore annuity trail commissions are dismissed with prejudice, with each side bearing its own costs; the action continues as to Veritas Independent Partners, LLC.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio
WRITING FOR THE COURT	Jeffery P. Hopkins
JURISDICTION	United States District Court for the Southern District of Ohio
DECIDED	December 1, 2025
DOCKET	1:18-cv-769
DISPOSITION	other
PROCEDURAL POSTURE	The court considered the parties' joint motion under Federal Rule of Civil Procedure 21 to drop Plaintiff Avantax Investment Services, Inc. and dismiss its claims with prejudice.
STANDARD OF REVIEW	The court applied Rule 21's standard permitting a party to be dropped at any time on just terms and granted the joint motion for good cause shown.
PRECEDENTIAL VALUE	Unknown

TOPICS

joinder · motions to dismiss · civil procedure · commercial litigation · insurance

PRACTICE AREAS

civil procedure | commercial litigation | insurance

QUESTIONS PRESENTED

1. Whether Rule 21 provides an appropriate procedural vehicle to drop Avantax as a plaintiff and dismiss its claims with prejudice.
2. Whether the court should allocate prevailing-party status and costs following the dismissal.

HOLDINGS

1. Rule 21 is an appropriate procedural vehicle for dropping fewer than all parties or claims, and for good cause shown the court may drop Avantax from the case and dismiss its claims with prejudice on just terms.
2. Neither Avantax nor the defendants is deemed a prevailing party for any purpose, and each side must bear its own costs.

KEY QUOTATIONS

> *"Rule 21 provides that "[o]n motion or on its own, the court may at any time, on just terms, add or drop a party.""* (Order)

> *"It is therefore ORDERED that Avantax Investment Services, Inc. ("Avantax") is dropped from this case as a Plaintiff and that its claims against Defendants, and any potential claims between Avantax and Defendants related to ONcore annuity trail commissions, that could have been raised in or were raised in this lawsuit, are hereby dismissed with prejudice."* (Order)

FACTUAL BACKGROUND

Avantax Investment Services, Inc. was a plaintiff in an action concerning claims related to ONcore annuity trail commissions. The parties jointly requested that Avantax be dropped from the action and that its existing and potential related claims against the defendants be dismissed with prejudice. The order did not affect Veritas Independent Partners, LLC's continuing claims or the defendants' defenses.

PROCEDURAL HISTORY

Veritas Independent Partners, LLC and Avantax Investment Services, Inc. were plaintiffs in the underlying action against The Ohio National Life Insurance Company and other defendants. The parties jointly moved to drop Avantax and dismiss its claims with prejudice under Rule 21. The court granted the motion as to Avantax while expressly preserving Veritas's continuing status and claims.

DISPOSITION

other

CASES CITED

- Espinosa v. First Advantage Background Servs., 343 F.R.D. 414, 415 (S.D. Ohio 2023)