UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

Felicia Hollins v. Experian Information Solutions, Inc.

Hollins · No. No. 24-cv-07664 · Decided December 2, 2025

SUMMARY

The United States District Court for the Northern District of Illinois denied Experian Information Solutions, Inc.'s motion to dismiss part of Felicia Hollins's Fair Credit Reporting Act claim. The court held that Hollins plausibly alleged that Experian failed to use reasonable procedures to ensure the accuracy of credit reporting concerning debts allegedly discharged in bankruptcy. The court concluded that the reasonableness of Experian's procedures and its knowledge of the discharge were factual issues better addressed after discovery.

CASE DETAILS

COURT	United States District Court for the Northern District of Illinois, Eastern Division
WRITING FOR THE COURT	Andrea R. Wood
JURISDICTION	United States District Court for the Northern District of Illinois, Eastern Division
DECIDED	December 2, 2025
DOCKET	No. 24-cv-07664
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the portion of Count I alleging that Experian violated 15 U.S.C. § 1681e(b) by reporting balances on two debts before receiving Plaintiff's dispute letter.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, draws reasonable inferences in the plaintiff's favor, and determines whether the complaint states a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

TOPICS

credit reporting · motions to dismiss · consumer protection · bankruptcy · pleadings

PRACTICE AREAS

consumer protection | credit reporting | civil procedure | bankruptcy

QUESTIONS PRESENTED

1. Whether Hollins plausibly alleged that Experian failed to use reasonable procedures to assure the maximum possible accuracy of her credit report under 15 U.S.C. § 1681e(b) before receiving her dispute letter.
2. Whether the reasonableness of Experian's procedures could be decided as a matter of law at the pleading stage based on the bankruptcy documents and Experian's asserted reliance on information from furnishers.

HOLDINGS

1. Hollins plausibly alleged that Experian failed to use reasonable procedures to assure the maximum possible accuracy of her credit report, including by reporting past-due balances for debts allegedly discharged in bankruptcy.
2. The reasonableness of Experian's procedures presented factual questions that could not be resolved as a matter of law on the pleadings.

KEY QUOTATIONS

> *"To survive a Rule 12(b)(6) motion, "a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'""* (Statement, Discussion)

> *"At the pleadings stage, it suffices to say that Hollins has plausibly alleged that Experian was on notice of the Lending Club and Upgrade Inc. discharges before it received her dispute."* (Statement, Discussion)

> *"At bottom, Experian asks this Court to credit its version of the events over the SAC's allegations."* (Statement, Discussion)

> *"For the foregoing reasons, Experian's motion to dismiss is denied."* (Conclusion)

FACTUAL BACKGROUND

Hollins filed for Chapter 13 bankruptcy in January 2020, incurred Lending Club and Upgrade debts in 2021, and converted her case to Chapter 7 in 2022. Her amended debt schedule listed the debts but omitted their creation dates and account numbers, and the bankruptcy court issued a discharge order stating that pre-conversion debts were discharged, subject to exceptions for improperly listed debts. Experian reported the accounts with charge-off statuses and past-due balances despite the bankruptcy discharge, and continued doing so after Hollins disputed the reporting. Hollins alleged that the reporting damaged her credit and caused credit denials.

PROCEDURAL HISTORY

Hollins filed suit alleging violations of the Fair Credit Reporting Act and later filed a Second Amended Complaint. Experian moved to dismiss part of Count I under Rule 12(b)(6). The court denied the motion and ordered Experian to answer the Second Amended Complaint by December 16, 2025.

DISPOSITION

dismissed

CASES CITED

- Killingsworth v. HSBC Bank Nev., N.A., 507 F.3d 614, 618 (7th Cir. 2007)
- Wright v. Associated Ins. Cos., Inc., 29 F.3d 1244, 1248 (7th Cir. 1994)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Adams v. City of Indianapolis, 742 F.3d 720, 728 (7th Cir. 2014)
- Benson v. Trans Union, LLC, 387 F. Supp. 2d 834, 840 (N.D. Ill. 2005)
- Gadomski v. Equifax Info. Servs., LLC, No. 2:17-CV-00670-TLN-AC, 2020 WL 3841041, at *5 (E.D. Cal. July 8, 2020)
- Ferrin v. Experian, 617 F. Supp. 3d 998, 1008 n.14 (D. Minn. 2022)
- Benjamin v. Experian Info. Sols., Inc., 561 F. Supp. 3d 1330, 1341 (N.D. Ga. 2021)
- Thomas v. JBS Green Bay, Inc., 120 F.4th 1335, 1338 (7th Cir. 2024)
- Gibson v. Experian Info. Sols., Inc., 494 F. Supp. 3d 613, 617 (E.D. Mo. 2020)
- Matter of Excello Press, Inc., 890 F.2d 896, 903 (7th Cir. 1989)
- Rydholm v. Equifax Info. Servs. LLC, 44 F.4th 1105, 1108 (8th Cir. 2022)
- Sykes v. Experian Information Solutions, Inc., No. 1:22-CV-07033, 2025 WL 1707713, at *5 (N.D. Ill. June 18, 2025)
- Butler v. Trans Union, LLC, No. 24 C 211, 2025 WL 2767016, at *3 (N.D. Ill. Sept. 29, 2025)
- Hernandez v. Experian Info. Sols., Inc., No. 21-55588, 2022 WL 1315306, at *1 (9th Cir. May 3, 2022)
- Swanson v. Citibank, N.A., 614 F.3d 400, 404 (7th Cir. 2010)