

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

Natasha Ward v. Comenity Bank, et al.

Ward · No. 1:25-cv-01952 · Decided December 24, 2025

SUMMARY

The United States District Court for the Northern District of Ohio addresses Plaintiff Natasha Ward's motions and notice dismissing defendants in a Fair Credit Reporting Act action. The court dismisses several defendants with prejudice, dismisses Affirm, Inc. without prejudice, dismisses Equifax Information Services, LLC with prejudice under Rule 41(a)(1)(A)(i), and closes the case.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	J. Philip Calabrese
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	December 24, 2025
DOCKET	1:25-cv-01952
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff moved to dismiss several defendants with prejudice and one defendant without prejudice in an action alleging Fair Credit Reporting Act violations. Plaintiff also filed a notice of dismissal with prejudice as to a defendant that had not appeared.
STANDARD OF REVIEW	Dismissal of a party under Federal Rule of Civil Procedure 21 is committed to the sound discretion of the district court.
PRECEDENTIAL VALUE	Unknown

TOPICS

- motions to dismiss
- joinder
- credit reporting
- civil procedure

PRACTICE AREAS

- civil procedure
- consumer protection
- credit reporting

QUESTIONS PRESENTED

1. Whether the court should dismiss specified defendants under Federal Rule of Civil Procedure 21 with or without prejudice.
2. Whether Plaintiff's notice of dismissal as to a defendant that had not appeared was self-executing under Federal Rule of Civil Procedure 41(a)(1)(A)(i).

HOLDINGS

1. The district court may drop a party under Rule 21 on just terms, and in the absence of objection it exercised its discretion to dismiss Lending Club Bank, Kay Jeweler's, Comenity Bank, Experian Information Solutions, Inc., and Capital One Bank NA with prejudice.
2. The court granted Plaintiff's motion to dismiss Affirm, Inc. without prejudice.
3. Plaintiff's notice of dismissal with prejudice as to Equifax Information Services, LLC was self-executing because Equifax had never appeared in the litigation.

FACTUAL BACKGROUND

Natasha Ward filed a Fair Credit Reporting Act complaint against seven defendants. She subsequently sought dismissal of five defendants with prejudice and one defendant without prejudice, and filed a notice of dismissal with prejudice as to Equifax Information Services, LLC. No party objected, and Equifax had not appeared in the litigation.

PROCEDURAL HISTORY

Plaintiff filed a complaint against seven defendants. The Court granted the motions dismissing Lending Club Bank, Kay Jeweler's, Comenity Bank, Experian Information Solutions, Inc., and Capital One Bank NA with prejudice; granted the motion dismissing Affirm, Inc. without prejudice; recognized the self-executing dismissal of Equifax Information Services, LLC under Rule 41(a)(1)(A)(i); and closed the case.

DISPOSITION

dismissed

CASES CITED

- Michaels Bldg. Co. v. Ameritrust Co. N.A., 848 F.2d 674, 682 (6th Cir. 1988)
- Hiller v. HSBC Fin. Corp., 589 F. App'x 320, 321 (6th Cir. 2015) (per curiam)
- Sutherland v. Michigan Dep't of Treasury, 344 F.3d 603, 612 (6th Cir. 2003)

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION NATASHA WARD,) Case No. 1:25-cv-01952) Plaintiff,) Judge J. Philip Calabrese)
v.) Magistrate Judge) Jonathan D. Greenberg COMENITY BANK, et al.,)) Defendants.))

OPINION AND ORDER Plaintiff Natasha Ward filed a complaint against seven Defendants alleging violations of the Fair Credit Reporting Act.

(ECF No. 1.) On October 9, 2025, Plaintiff moved to dismiss Defendant Lending Club Bank with prejudice. (ECF No. 9.) On October 17, 2025, Plaintiff moved to dismiss Defendant Affirm, Inc. without prejudice. (ECF No. 10.)

On October 22, 2025, Plaintiff moved to dismiss Defendants Kay Jeweler's and Comenity Bank with prejudice. (ECF No. 12; ECF No. 13.) On October 23, 2025, Plaintiff moved to dismiss Defendant Experian Information Solutions with prejudice. (ECF No. 14.)

On October 29, 2025, Plaintiff moved to dismiss Defendant Capital One Bank NA with prejudice. (ECF No. 15.) On December 22, 2025, Plaintiff filed a notice of dismissal with prejudice as to Defendant Equifax Information Services, LLC. (ECF No. 17.) Rule 21 provides that the Court may at any time, on just terms, add or drop a party. Fed. R. Civ. P. 21. Unless the parties agree otherwise, the Court generally drops a party under Rule 21 without prejudice.

See *Michaels Bldg. Co. v. Ameritrust Co. N.A.*, 848 F.2d 674, 682 (6th Cir. 1988). Here, Plaintiff moves to dismiss Defendants Lending Club Bank, Kay Jeweler's, Comenity Bank, Experian Information Solutions, Inc., and Capital One Bank NA with prejudice. (ECF No. 9; ECF No. 12; ECF No. 13; ECF No. 14; ECF No. 15.) Dismissal of a party under Rule 21 is committed to the sound discretion of the district court.

Hiller v. HSBC Fin. Corp., 589 F. App'x 320, 321 (6th Cir. 2015) (per curiam) (citing *Sutherland v. Michigan Dep't of Treasury*, 344 F.3d 603, 612 (6th Cir. 2003)). Based on the Court's review of the record, and the failure of any party to object, the Court sees no reason not to dismiss Defendants Lending Club Bank, Kay Jeweler's, Comenity Bank, Experian Information Solutions, Inc., and Capital One Bank NA with prejudice.

Plaintiff filed a proposed notice of dismissal with prejudice for Defendant Equifax Information Services, LLC under Rule 41(a)(1)(A)(i). (ECF No. 17.) Because Defendant Equifax Information Services never appeared in the litigation, the notice is self-executing under the Rule.

For these reasons, the Court GRANTS the motions DISMISSING Defendants Lending Club Bank, Kay Jeweler's, Comenity Bank, Experian Information Solutions, and Capital One Bank WITH PREJUDICE (ECF No. 9; ECF No. 12; ECF No. 13; ECF No. 14; ECF No. 15), GRANTS the motion DISMISSING Defendant Affirm, Inc. WITHOUT PREJUDICE (ECF No. 10), DISMISSES Defendant Equifax Information Services, LLC WITH PREJUDICE (ECF No. 17), and closes this case.

SO ORDERED. Dated: December 23, 2025 J. Philip Calabrese United States District Judge Northern District of Ohio

