

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Rebecca Broadbent, Jared Rasband, and Hazel Sainsbury v. Richard “Biff” Williams, Jordan Sharp, Del Beatty, Michael Lacourse, Henrie Walton, Tiffany Wilson, Utah Tech University, Geoff Landward, Utah Board of Higher Education, Utah System of Higher Education, the Office of the Commissioner of Higher Education, Alison Adams, Eric Pedersen, Matt Black, Jyl Hall, Jared Madsen, Stacy Schmidt, Brooke Ulrich, Travis Rosenberg, Kyle Wells, Courtney White, and John and Jane Does I-X

Broadbent v. Williams · No. 4:24-cv-00091 · Decided April 30, 2026

SUMMARY

The United States District Court for the District of Utah grants Plaintiffs’ motion for leave to file a second amended complaint. The amendment adds Shane B. Smeed as a defendant, adds a First Amendment retaliation claim related to Plaintiffs’ termination, modifies claims and parties, and voluntarily removes certain claims. The court declines to address futility at the amendment stage and terminates the pending motions to dismiss as moot.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	David Nuffer
JURISDICTION	United States District Court for the District of Utah
DECIDED	April 30, 2026
DOCKET	4:24-cv-00091
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for leave under Federal Rule of Civil Procedure 15(a) (2) to file a second amended complaint, add a defendant and a free-speech-retaliation claim, modify existing allegations, and voluntarily omit certain claims and parties. Several defendants opposed the motion based on undue delay, dilatory motive, and futility. The court granted leave to amend and terminated the pending motions to dismiss as moot.

STANDARD OF REVIEW	Leave to amend under Federal Rule of Civil Procedure 15(a)(2) is committed to the district court's discretion. Leave should generally be freely given absent undue delay, bad faith or dilatory motive, repeated failure to cure deficiencies, undue prejudice, or futility.
PRECEDENTIAL VALUE	unpublished district court memorandum decision and order
PARTIES	Rebecca Broadbent, Jared Rasband, Hazel Sainsbury v. Richard “Biff” Williams, Jordan Sharp, Del Beatty, Michael Lacourse, Henrie Walton, Tiffany Wilson, Utah Tech University, Geoff Landward, Utah Board of Higher Education, Utah System of Higher Education, The Office of the Commissioner of Higher Education, Alison Adams, Eric Pedersen, Matt Black, Jyl Hall, Jared Madsen, Stacy Schmidt, Brooke Ulrich, Travis Rosenberg, Kyle Wells, Courtney White, John and Jane Does I-X

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QUESTIONS PRESENTED

1. Whether plaintiffs' motion for leave to file a second amended complaint was unduly delayed or motivated by an improper dilatory purpose.
2. Whether the court should deny leave to amend as futile or because the proposed allegations were inadequately pleaded.
3. Whether Federal Rule of Civil Procedure 41 and its two-dismissal rule applied to plaintiffs' omission of individual claims against certain defendants from the proposed amended complaint.

HOLDINGS

1. The motion to amend was not unduly delayed and was not filed for a dilatory purpose because the case was procedurally in its infancy, no scheduling order or trial date was in place, discovery had not materially advanced, and the motion was filed less than a month after the relevant terminations.
2. The court granted leave to amend without deciding whether the proposed amendments were futile or inadequately pleaded because those arguments were more appropriately addressed in dispositive motions concerning all claims.
3. Federal Rule of Civil Procedure 41 did not apply to plaintiffs' omission of individual claims against defendants from the proposed second amended complaint, and the two-dismissal rule was not triggered.

KEY QUOTATIONS

“The court should freely give leave when justice so requires.” (at 9)

“The purpose of the Rule is to provide litigants ‘the maximum opportunity for each claim to be decided on its merits rather than on procedural niceties.’” (at 9)

“Rule 41 expressly applies to an entire action and not to individual claims.” (at 15)

FACTUAL BACKGROUND

Plaintiffs were employed by Utah Tech University when they filed the action. After Shane Smeed became president of Utah Tech, he terminated Rebecca Broadbent and Jared Rasband on May 8, 2025, citing statements reflecting personal animosity and distrust of the university and its administrators. Plaintiffs sought to amend their complaint to add Smeed, assert a free-speech-retaliation claim related to the terminations, add allegations concerning due-process claims, remove certain defendants, and omit certain claims.

PROCEDURAL HISTORY

Plaintiffs filed the action in November 2024 and filed a first amended complaint in February 2025. After defendants filed motions to dismiss and after two plaintiffs were terminated from employment, plaintiffs moved in June 2025 for leave to file a second amended complaint. The district court granted the motion, declined to decide futility arguments at the amendment stage, ruled that Rule 41 did not apply to the omission of individual claims from the proposed amended complaint, and terminated the pending motions to dismiss as moot.

DISPOSITION

other

CASES CITED

- Minter v. Prime Equip. Co., 451 F.3d 1196 (10th Cir. 2006)
- Hardin v. Manitowoc–Forsythe Corp., 691 F.2d 449, 456 (10th Cir. 1982)
- Foman v. Davis, 371 U.S. 178, 182 (1962)
- U.S. ex rel. Ritchie v. Lockheed Martin Corp., 558 F.3d 1161, 1166 (10th Cir. 2009)
- Zenith Radio Corp. v. Hazeltine Research, Inc., 401 U.S. 321 (1971)
- Weinfuse, LLC v. Endue, Inc., 2025 WL 1000836 (D. Utah Apr. 3, 2025)
- Sullivan v. Equifax Info. Servs. LLC, 2015 WL 4480899 (D. Colo. July 23, 2015)
- Myers v. All. for Affordable Servs., 371 F. App'x 950, 961 (10th Cir. 2010)
- Nautilus Ins. Co. v. Back Nine Maint., LLC, 2025 WL 1433924 (D. Utah May 19, 2025)
- Anderson v. Suiters, 499 F.3d 1228, 1238 (10th Cir. 2007)
- Complete Merch. Sols., LLC v. Fed. Trade Comm'n, 2020 WL 4192294 (D. Utah July 21, 2020)