

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

Cheria Brown v. Equifax Information Services, LLC

Brown · No. 5:25CV1020 · Decided February 4, 2026

SUMMARY

The court memorializes rulings from a February 2, 2026 telephonic status conference in a consumer dispute involving Equifax. It denies Equifax’s motion to dismiss without prejudice, denies or partially grants several discovery-related motions, sets May 4, 2026 as the discovery deadline, and orders the parties to address remaining discovery disputes. The court also denies Plaintiff Brown’s motion to compel Equifax’s representative to travel to Ohio for a deposition, finding that she failed to establish good cause for that relief under Federal Rule of Civil Procedure 26(c).

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	John R. Adams
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	February 4, 2026
DOCKET	5:25CV1020
DISPOSITION	other
PROCEDURAL POSTURE	During a telephonic status conference in a Fair Credit Reporting Act action, the court ruled on the parties' pending motions concerning dismissal, discovery, and the location of a deposition.
STANDARD OF REVIEW	The court applied Federal Rule of Civil Procedure 26(c), under which the court has discretion to designate the time and place of a deposition and the party seeking protection must demonstrate good cause with particular and specific facts.
PRECEDENTIAL VALUE	Nonprecedential interlocutory case-management order

TOPICS

- discovery dispute
- motions to dismiss
- summary judgment
- credit reporting
- civil procedure

PRACTICE AREAS

civil procedure

consumer protection

Fair Credit Reporting Act

QUESTIONS PRESENTED

1. Whether Equifax's motion to dismiss should be denied without prejudice subject to possible refiling as a motion for summary judgment.
2. Whether discovery should be stayed or Brown should be permitted to defer responding to discovery pending resolution of the motion to dismiss.
3. Whether the discovery deadline should be extended and what discovery obligations the parties should undertake.
4. Whether Brown established good cause under Federal Rule of Civil Procedure 26(c)(1) to require an Equifax representative to travel to Ohio for a deposition.

HOLDINGS

1. A party seeking a protective order or other protection concerning the time or place of a deposition must establish good cause under Federal Rule of Civil Procedure 26(c)(1) through a particular and specific demonstration of annoyance, embarrassment, oppression, undue burden, or expense; Brown's conclusory reliance on her pro se status did not satisfy that burden.
2. Equifax's motion to dismiss was denied without prejudice, subject to refiling as a motion for summary judgment if appropriate.

KEY QUOTATIONS

“Federal Rule of Civil Procedure 26(c) affords this Court “wide discretion to limit discovery to prevent ‘annoyance, embarrassment, oppression, or undue burden or expense,’ including with regard to the designation of the time and place of depositions.” ”

“To do so, Brown must illustrate the potential for “‘annoyance, embarrassment, oppression, or undue burden or expense’ ... with ‘a particular and specific demonstration of fact, as distinguished from stereotyped and conclusory statements.’ ” ”

FACTUAL BACKGROUND

Brown sought to require an Equifax representative to travel to Ohio for a deposition. She relied primarily on her pro se status and asserted that travel to Georgia would impose an undue burden, but did not provide additional supporting facts or explain why written deposition questions or videoconferencing would not address the cost concern. The court also ordered Brown to provide medical authorizations, treatment-provider information, tax returns, credit applications, and job history, while requiring Equifax to produce relevant policies.

PROCEDURAL HISTORY

Plaintiff Cheria Brown sued Equifax Information Services, LLC. Equifax moved to dismiss and to stay discovery; Brown moved for leave to defer responding to discovery and moved to compel an Equifax

representative to travel to Ohio for a deposition. The court denied the motion to dismiss without prejudice, denied the discovery stay and Brown's motion as moot, partially granted Equifax's motion to extend discovery, and denied the motion to compel.

DISPOSITION

other

CASES CITED

- Lomax v. Sears, Roebuck & Co., No. 99-6589, 2000 WL 1888715, at *3 (6th Cir. Dec. 19, 2000)
- Shannon v. Taesa Airlines, No. 2:93-CV-689, 1994 WL 931216, at *3 (S.D. Ohio Nov. 10, 1994)
- Nix v. Sword, 11 F. App'x 498, 500 (6th Cir. 2001)
- Nemir v. Mitsubishi Motors Corp., 381 F.3d 540, 550 (6th Cir. 2004)
- Gulf Oil Co. v. Bernard, 452 U.S. 89, 102 n. 163 (1981)

OPINION

Brown

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

Cheria Brown,) CASE NO.: 5:25CV1020) Plaintiff,) JUDGE JOHN ADAMS) v.)) Equifax
Information Services, LLC,))

) ORDER

)) Defendant.) The Court conducted a telephonic status conference in this matter on February 2, 2026. This order will serve to memorialize the Court's orders during that conference. Defendant Equifax's motion to dismiss (Doc. 14) is DENIED without prejudice, subject to refiling as a motion for summary judgment, if appropriate. The motion to stay discovery is DENIED AS MOOT. Doc. 16. Plaintiff Brown's motion for leave to respond to discovery requests after resolution of the motion to dismiss (Doc. 24) is also DENIED AS MOOT. Equifax's motion to extend discovery dates is GRANTED IN PART. The parties shall complete discovery by May 4, 2026. The Court will not entertain motions to extend this date. Brown shall immediately sign and provide a full medical authorization to defense counsel. In addition, Brown shall provide the names and contact information for all of her treatment providers for the past 5 years. Brown shall also immediately begin to respond to discovery requests from Equifax, including providing her tax returns, credit applications, and job history. Similarly, Equifax shall forthwith provide any policies relevant to the instant dispute to Brown. To the extent that there remains a dispute over whether certain discovery requests are proper, the parties shall meet and confer as required by the Local Rules. The Court will resolve any remaining disputes during the telephone conference scheduled

for February 19, 2026, at 1:00 p.m. Brown and counsel for Equifax shall call 330-430-8848 and use meeting ID 84568445 to access the conference. Finally, the Court denies Brown's motion to compel Equifax's representative to travel to Ohio to be deposed. Federal Rule of Civil Procedure 26(c) affords this Court "wide discretion to limit discovery to prevent 'annoyance, embarrassment, oppression, or undue burden or expense,' including with regard to the designation of the time and place of depositions." *Lomax v. Sears, Roebuck & Co.*, No. 99-6589, 2000 WL 1888715, at *3 (6th Cir. Dec.19, 2000) (quoting Fed.R.Civ.P. 26(c)); *Shannon v. Taesa Airlines*, No. 2:93-CV-689, 1994 WL 931216, at *3 (S.D.Ohio Nov.10, 1994) ("[U]nder Rule 26(c) of the Federal Rules of Civil Procedure, the Court is vested with the discretion to designate the location of a deposition, and to act so as to protect any party from undue burden or expense."). The party seeking protection, here Plaintiff Brown, must establish that good cause exists under Rule 26(c)(1). *Nix v. Sword*, 11 F. App'x 498, 500 (6th Cir. 2001). To do so, Brown must illustrate the potential for "annoyance, embarrassment, oppression, or undue burden or expense' ... with 'a particular and specific demonstration of fact, as distinguished from stereotyped and conclusory statements.' " *Nemir v. Mitsubishi Motors Corp.*, 381 F.3d 540, 550 (6th Cir. 2004) (quoting *Gulf Oil Co. v. Bernard*, 452 U.S. 89, 102 n. 163 (1981)). Brown failed to meet her burden. Other than her conclusory statement that her pro se status renders travel to Georgia an undue burden, she offered no other argument in support of her motion. Moreover, she did not explain why other avenues for completing the deposition – deposition by written question or some form of videoconferencing – would not remedy the issue of cost. Accordingly, the motion to compel is DENIED. IT IS SO ORDERED. DATED: February 4, 2026 /s/ John R. Adams_____

JUDGE JOHN R. ADAMS

UNITED STATES DISTRICT COURT