

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Peacock v. LifeHealth LLC

Peacock · No. 2:24-cv-2939-JDP · Decided April 9, 2025

SUMMARY

The United States District Court for the Eastern District of California granted LifeHealth LLC's motion to dismiss Victoria Peacock's first amended complaint. The court dismissed the FMLA interference claim with leave to amend because the allegations did not sufficiently show that FMLA leave was a negative factor in the termination decision, and declined supplemental jurisdiction over the remaining state-law claims. Plaintiff was given thirty days to amend, or the action would be remanded to state court.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 9, 2025
DOCKET	2:24-cv-2939-JDP
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss plaintiff's first amended complaint asserting FMLA and California employment-law claims.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, construes them in the plaintiff's favor, and asks whether the complaint states a facially plausible claim for relief. A pro se complaint is construed liberally but may be dismissed when the plaintiff can prove no set of facts entitling her to relief.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Victoria Peacock v. LifeHealth LLC

TOPICS

- family and medical leave act
- wrongful termination
- motions to dismiss
- subject matter jurisdiction

PRACTICE AREAS

employment law

civil procedure

civil rights

QUESTIONS PRESENTED

1. Whether the amended complaint plausibly alleged that Peacock's use of FMLA leave was a negative factor in LifeHealth's decision to terminate her.
2. Whether the court should exercise supplemental jurisdiction over the remaining California-law claims after dismissing the sole federal claim.

HOLDINGS

1. The amended complaint failed to plead sufficient facts to support an inference that Peacock's FMLA leave was a negative factor in the termination decision. The twenty-eight-day gap between her return from leave and termination, together with nonspecific allegations of disparaging comments, was insufficient.
2. The court declined to exercise supplemental jurisdiction over Peacock's remaining California-law claims after dismissing the only federal claim.

KEY QUOTATIONS

"Here, the twenty-eight-day gap between plaintiff's return and termination, standing alone, is insufficient to support her FMLA claim." (Discussion, FMLA claim)

"Plaintiff's FMLA claim is dismissed with leave to amend." (Order ¶ 2)

FACTUAL BACKGROUND

Victoria Peacock worked as a care coordinator for LifeHealth LLC and took FMLA leave beginning in May 2023. She returned to work on a part-time basis on September 1, 2023, and was terminated on September 29, 2023. She alleged that her manager sought to terminate her because of her medical leave, race, and prior complaints about Labor Code violations, and alleged disparaging comments concerning her leave and race.

PROCEDURAL HISTORY

Plaintiff filed the action in Sacramento County Superior Court, and defendant removed it to federal court. Defendant's initial motion to dismiss became moot after plaintiff filed a first amended complaint. The court granted defendant's renewed motion, dismissed the FMLA claim with leave to amend, declined supplemental jurisdiction over the state-law claims, and permitted amendment within thirty days, after which the action would be remanded if no amended complaint was filed.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

Plaintiff may file an amended complaint within thirty days. If she does not, the action will be remanded to Sacramento County Superior Court. The state-law claims were dismissed without prejudice after the court declined supplemental jurisdiction.

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 556, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Chubb Custom Insurance Co. v. Space Systems/Loral, Inc., 710 F.3d 946, 956 (9th Cir. 2013)
- Akhtar v. Mesa, 698 F.3d 1202, 1212 (9th Cir. 2012)
- Haines v. Kerner, 404 U.S. 519, 520 (1972) (per curiam)
- Hayes v. Idaho Correctional Center, 849 F.3d 1204, 1208 (9th Cir. 2017)
- Franklin v. Murphy, 745 F.2d 1221, 1228-29 (9th Cir. 1984)
- Xin Liu v. Amway Corp., 347 F.3d 1125, 1135-37 (9th Cir. 2003)
- Bachelder v. American West Airlines, Inc., 259 F.3d 1112, 1124-25 (9th Cir. 2001)
- Madick v. Presidio, Inc., 680 F. Supp. 3d 1135, 1148 (C.D. Cal. 2023)
- Carnegie-Mellon University v. Cohill, 484 U.S. 343, 350 n.7 (1988)
- United Mine Workers of America v. Gibbs, 383 U.S. 715, 726 (1966)