

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

DeHope v. Jones Lang LaSalle Americas, Inc.

DeHope · No. Civil Action No. 1:25-cv-1549 (TNM) · Decided December 11, 2025

SUMMARY

The U.S. District Court for the District of Columbia considers motions concerning a late answer, entry of default, default judgment, and motions to dismiss negligence and loss-of-consortium claims arising from a trip over a cord protector in Union Station. The court sets aside NorCham’s default, extends its answer deadline, denies the plaintiffs’ motions to strike and for default judgment, and denies both sponsors’ motions to dismiss. The court concludes that the complaint plausibly alleges duty, notice, agency, and causation under District of Columbia law.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Trevor N. McFadden
JURISDICTION	U.S. District Court for the District of Columbia
DECIDED	December 11, 2025
DOCKET	Civil Action No. 1:25-cv-1549 (TNM)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs brought negligence and loss-of-consortium claims arising from an injury at Union Station. Two display sponsors moved to dismiss under Federal Rule of Civil Procedure 12(b)(6). One sponsor also moved to set aside the Clerk's entry of default and to extend its answer deadline; the plaintiff moved to strike that sponsor's motion and for default judgment.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the complaint must contain sufficient factual matter, accepted as true, to state a facially plausible claim. An entry of default may be set aside for good cause, considering willfulness, prejudice, and whether the defendant has a meritorious defense. A missed deadline may be extended retroactively for excusable neglect.
PRECEDENTIAL VALUE	published district court memorandum order

TOPICS

motions to dismiss

default

default judgment

negligence

civil procedure

PRACTICE AREAS

civil procedure

torts

negligence

QUESTIONS PRESENTED

1. Whether NorCham demonstrated good cause to set aside the Clerk's entry of default.
2. Whether NorCham's late filing resulted from excusable neglect warranting an extension of its answer deadline.
3. Whether plaintiffs were entitled to default judgment or to strike NorCham's late motion to dismiss.
4. Whether the complaint plausibly alleged that WPAS and NorCham owed DeHope a duty of care and that their conduct proximately caused her injuries.

HOLDINGS

1. NorCham showed good cause to set aside the Clerk's entry of default because its delay was not willful, the delay did not prejudice DeHope, and NorCham presented a potentially meritorious defense.
2. NorCham was entitled to a retroactive extension of its answer deadline because its failure to act resulted from excusable neglect.
3. Plaintiffs were not entitled to default judgment, and NorCham's motion to dismiss was properly considered because the court set aside the default and extended the answer deadline.
4. The complaint plausibly alleged that WPAS and NorCham owed DeHope a duty of care and that their failure to address the cord hazard proximately caused her injuries, so both Rule 12(b)(6) motions were denied.

KEY QUOTATIONS

"Because NorCham did not willfully ignore this lawsuit, the Court grants NorCham's motions and denies DeHope's motions." (at 2)

"To survive these Rule 12(b)(6) motions, DeHope's Complaint must 'contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.'" (at 4)

"But, for now, DeHope alleges just enough to pass the pleading stage's low bar." (at 5)

FACTUAL BACKGROUND

In December 2023, Eileen DeHope traveled to Washington, D.C., and walked through Union Station's main hall near the assembly site for a Christmas display. A two-inch-high cord protector spanning the walkway was allegedly hidden from view, and DeHope tripped over it, injuring her shoulder and suffering neurological damage. She and her wife sued the entities that managed the hall, placed the cord, and sponsored the display, including Washington Performing Arts Society and NorCham Washington, DC Incorporated.

PROCEDURAL HISTORY

After NorCham filed its motion to dismiss approximately two and a half months late, the Clerk entered default against it. The court accepted the late filing, set aside the default, extended NorCham's answer deadline, denied plaintiffs' motions to strike and for default judgment, and denied both sponsors' motions to dismiss.

DISPOSITION

other

CASES CITED

- Keegel v. Key W. & Caribbean Trading Co., 627 F.2d 372, 373-74 (D.C. Cir. 1980)
- Gilmore v. Palestinian Interim Self-Gov't Auth., 843 F.3d 958, 966 (D.C. Cir. 2016)
- Jackson v. Beech, 636 F.2d 831, 835-36 (D.C. Cir. 1980)
- Barros v. Gov't Emps. Ins. Co., Inc., 79 F. Supp. 3d 32, 42 (D.D.C. 2015)
- Flanagan v. Islamic Republic of Iran, 190 F. Supp. 3d 138, 156 (D.D.C. 2016)
- In re Vitamins Antitrust Class Actions, 327 F.3d 1207, 1209 (D.C. Cir. 2003)
- Poola v. Howard Univ., 147 A.3d 267, 289 (D.C. 2016)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Hawkins v. Wash. Metro. Area Transit Auth., 311 F. Supp. 3d 94, 104 (D.D.C. 2018)
- Stutsman v. Kaiser Found. Health Plan of Mid-Atl. States, Inc., 546 A.2d 367, 374 (D.C. 1988)
- Hartley v. Dombrowski, 744 F. Supp. 2d 328, 339 (D.D.C. 2010)
- Campbell v. Noble, 962 A.2d 264, 266 (D.C. 2008)
- Singletary v. Howard Univ., 939 F.3d 287, 302 (D.C. Cir. 2019)
- Croce v. Hall, 657 A.2d 307, 310 n.6 (D.C. 1995)
- Majeska v. District of Columbia, 812 A.2d 948, 950-51 (D.C. 2002)