

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MISSOURI, CENTRAL DIVISION

LaCrue v. Vexus Fiber, LLC

LaCrue · No. 2:25-cv-04175-MDH · Decided January 8, 2026

SUMMARY

The United States District Court for the Western District of Missouri denied Vexus Fiber, LLC’s motion to dismiss a putative consumer class action or transfer it to the Northern District of Texas. The court held that venue was proper in the Western District of Missouri because Vexus consented to personal jurisdiction in Missouri through its customer agreement, making it a Missouri resident for purposes of 28 U.S.C. § 1391(c)(2).

CASE DETAILS

COURT	United States District Court for the Western District of Missouri, Central Division
WRITING FOR THE COURT	Douglas Harpool
JURISDICTION	United States District Court for the Western District of Missouri, Central Division
DECIDED	January 8, 2026
DOCKET	2:25-cv-04175-MDH
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(3) to dismiss the putative class action for improper venue or, alternatively, to transfer it to the Northern District of Texas. The court denied both requests.
STANDARD OF REVIEW	On a Rule 12(b)(3) motion, the court determines whether the action falls within one of the venue categories in 28 U.S.C. § 1391(b); if venue is improper, the action may be dismissed or transferred under 28 U.S.C. § 1406(a).
PRECEDENTIAL VALUE	unknown

TOPICS

- venue
- personal jurisdiction
- civil procedure
- consumer protection
- class actions

PRACTICE AREAS

civil procedure

consumer protection

commercial litigation

class actions

QUESTIONS PRESENTED

1. Whether venue was proper in the Western District of Missouri under 28 U.S.C. § 1391(b)(1) because Vexus was deemed to reside there for venue purposes under § 1391(c)(2).
2. Whether the action should be dismissed for improper venue or transferred to the Northern District of Texas under 28 U.S.C. § 1406(a).

HOLDINGS

1. Venue was proper in the Western District of Missouri because Vexus consented to personal jurisdiction in Missouri courts through its customer agreement and therefore was deemed to reside in Missouri for venue purposes under 28 U.S.C. § 1391(c)(2).
2. Dismissal or transfer was not warranted because venue was proper in the Western District of Missouri.

KEY QUOTATIONS

“As the Defendant has consented to the personal jurisdiction of the State of Missouri by virtue of its Terms and Conditions of Retail Customer Sales Agreement, the Court finds that Defendant is a resident of Missouri for venue purposes pursuant to 28 U.S.C. § 1391(c)(2).”

FACTUAL BACKGROUND

Plaintiffs Colin LaCrue and Jonathon Trahan alleged that Vexus Fiber advertised low prices for broadband internet services but failed to adequately disclose a mandatory monthly Network Access Fee. LaCrue is a Texas resident, Trahan is a Louisiana resident, and Vexus operates in Texas, Louisiana, and New Mexico. Plaintiffs asserted claims under the Texas Deceptive Trade Practices Act, the Louisiana Unfair Trade Practice and Consumer Protection Act, the Missouri Merchandising Practices Act, and unjust enrichment.

PROCEDURAL HISTORY

Plaintiffs filed a putative class action alleging that Vexus Fiber misrepresented the monthly price of broadband services by failing to adequately disclose a mandatory Network Access Fee. Vexus challenged venue in the Western District of Missouri and sought dismissal or transfer to the Northern District of Texas. The district court held that venue was proper in the Western District of Missouri and denied the motion without reaching the alternative venue arguments under 28 U.S.C. § 1391(b)(2) or (b)(3).

DISPOSITION

other

CASES CITED

- *Atl. Marine Const. Co. v. U.S. Dist. Ct. for W. Dist. of Texas*, 571 U.S. 49, 56 (2013)

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