

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

Andrew Stegmeyer, et al. v. ABM Industries Incorporated, et al.

Stegmeyer v. ABM Industries · No. No. 24-cv-00394 · Decided March 30, 2026

SUMMARY

The United States District Court for the Northern District of Illinois granted Defendants’ Rule 12(b)(1) motion to dismiss a putative class action alleging violations of the Driver’s Privacy Protection Act. The court held that Plaintiffs had not pleaded a concrete injury in fact because the alleged receipt of parking-collection letters and text messages, possession and use of their personal information, and resulting emotional distress did not constitute a sufficiently concrete privacy or other injury. The dismissal was without prejudice, and Plaintiffs were granted leave to amend by April 20, 2026.

CASE DETAILS

COURT	United States District Court for the Northern District of Illinois, Eastern Division
WRITING FOR THE COURT	Andrea R. Wood
JURISDICTION	United States District Court for the Northern District of Illinois, Eastern Division
DECIDED	March 30, 2026
DOCKET	No. 24-cv-00394
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs brought a putative nationwide class action alleging violations of the Driver’s Privacy Protection Act. Defendants moved to dismiss under Federal Rule of Civil Procedure 12(b)(1) for lack of Article III standing.
STANDARD OF REVIEW	For a facial Rule 12(b)(1) challenge, the court applies the same standard used for a Rule 12(b)(6) motion: it accepts well-pleaded allegations as true and draws reasonable inferences in the plaintiff’s favor. The plaintiff bears the burden of establishing Article III standing, including a concrete and particularized injury in fact.
PRECEDENTIAL VALUE	unpublished district court opinion

PARTIES

Andrew Stegmeyer, Amanda Brinton v. ABM Industries Incorporated, FlashParking, Inc., ParkPliant, LLC

TOPICS

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subject matter jurisdiction

motions to dismiss

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QUESTIONS PRESENTED

1. Whether Plaintiffs adequately pleaded a concrete injury in fact sufficient to establish Article III standing for their Driver's Privacy Protection Act claims.
2. Whether the alleged receipt of unwanted parking-fee collection letters and text messages, disclosure and use of names and home addresses, emotional distress, and related time and device costs constituted an injury analogous to the common-law tort of intrusion upon seclusion.
3. Whether the complaint should be dismissed under Federal Rule of Civil Procedure 12(b)(1) for lack of subject-matter jurisdiction.

HOLDINGS

1. Plaintiffs did not plead a concrete injury in fact because the alleged receipt of parking-fee collection letters and two tailored text messages, possession and use of their names and home addresses to collect alleged unpaid bills, emotional distress, and incidental time and device costs did not amount to a concrete harm recognized under Article III.
2. The alleged collection letters and text messages did not constitute an injury analogous to intrusion upon seclusion because receiving communications seeking payment of unpaid bills is not highly offensive to a reasonable person on the facts alleged.
3. The Rule 12(b)(1) motion was granted, and the complaint was dismissed without prejudice for failure to plead Article III standing.

KEY QUOTATIONS

"Without more, Plaintiffs' emotional distress is not enough to warrant standing."

"But under the factual allegations presented, Defendants' mere possession of Plaintiffs' personal information does not amount to an actual injury in fact."

FACTUAL BACKGROUND

ABM operated a parking lot adjacent to a Chicago movie theater that had previously been ungated and free to use. Plaintiffs Andrew Stegmeyer and Amanda Brinton each parked there in June 2023 without allegedly receiving reasonable notice that parking fees would be charged. Defendants used license-plate recognition

technology and motor-vehicle-record information to identify Plaintiffs and sent collection letters and, in Brinton's case, text messages demanding allegedly escalating parking fees. Plaintiffs alleged privacy intrusions, emotional distress, and the time and data costs associated with receiving the communications, but did not allege that they paid the demanded fees or that the bills were invalid.

PROCEDURAL HISTORY

Plaintiffs alleged that Defendants obtained personal information from nonpublic motor vehicle records and used it to send parking-fee collection letters and text messages. Defendants raised a facial subject-matter-jurisdiction challenge based on lack of injury in fact. The court granted the motion to dismiss without prejudice and granted Plaintiffs leave to amend by April 20, 2026.

DISPOSITION

dismissed

CASES CITED

- Boldt v. Jaddou, 652 F. Supp. 3d 937, 939 (N.D. Ill. 2023)
- Silha v. ACT, Inc., 807 F.3d 169, 173-74 (7th Cir. 2015)
- Bueno v. Experian Information Solutions, Inc., 2024 WL 4378526, at *4 (N.D. Ill. Sept. 27, 2024)
- Apex Digital, Inc. v. Sears, Roebuck & Co., 572 F.3d 440, 443-44 (7th Cir. 2009)
- Scanlan v. Eisenberg, 669 F.3d 838, 841 (7th Cir. 2012)
- Pucillo v. National Credit System, Inc., 66 F.4th 634, 637-41 (7th Cir. 2023)
- Spokeo, Inc. v. Robins, 578 U.S. 330, 338, 340 (2016)
- Lujan v. Defenders of Wildlife, 504 U.S. 555, 560-61 (1992)
- Pierre v. Midland Credit Management, Inc., 29 F.4th 934, 938 (7th Cir. 2022)
- Simic v. City of Chicago, 851 F.3d 734, 738 (7th Cir. 2017)
- Maracich v. Spears, 570 U.S. 48, 57, 67 (2013)
- Wadsworth v. Kross, Lieberman & Stone, Inc., 12 F.4th 665, 667-68 (7th Cir. 2021)
- TransUnion LLC v. Ramirez, 594 U.S. 413, 424-25 (2021)
- Persinger v. Southwest Credit Systems, L.P., 20 F.4th 1184, 1192 & n.3 (7th Cir. 2021)
- Gadelhak v. AT&T Services, Inc., 950 F.3d 458, 460, 462-63 (7th Cir. 2020)
- Baysal v. Midvale Indemnity Co., 78 F.4th 976, 977, 980 (7th Cir. 2023)
- Garey v. James S. Farrin, P.C., 35 F.4th 917 (4th Cir. 2022)

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