

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Stacey Jackson v. Exelon Business Services Company, LLC, et al.

Jackson · No. Civil Case No. SAG-25-00492 · Decided March 26, 2026

SUMMARY

The United States District Court for the District of Maryland grants Stacey Jackson’s motion for leave to file a Second Amended Complaint in an employment-related retaliation action. The court concludes that amendment is not futile because the proposed pleading adds facts concerning alleged failure to compensate Jackson under a settlement agreement and permits defendants to renew their dismissal arguments after the amended complaint is filed.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Stephanie A. Gallagher
JURISDICTION	United States District Court for the District of Maryland
DECIDED	March 26, 2026
DOCKET	Civil Case No. SAG-25-00492
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to file a Second Amended Complaint after the Court had dismissed some claims and allowed claims against the Exelon Companies to proceed. The Court considered whether amendment would be futile under Federal Rule of Civil Procedure 15.
STANDARD OF REVIEW	The Court applied Federal Rule of Civil Procedure 15(a)(2), under which leave to amend should be freely given when justice so requires, and considered whether the proposed amendment was futile because it was clearly insufficient or frivolous on its face. The decision to grant leave to amend was committed to the Court's discretion.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion; persuasive but not binding outside the case
PARTIES	Stacey Jackson v. Exelon Business Services Company, LLC, Exelon Corporation, Baltimore Gas and Electric Company, Clifford Glover, Valerie E. Brown, Eric Hemmendinger, Lindsey White

TOPICS

motion to amend

pleadings

motions to dismiss

retaliation

civil procedure

PRACTICE AREAS

civil procedure

employment law

contracts

QUESTIONS PRESENTED

1. Whether Plaintiff should be granted leave under Federal Rule of Civil Procedure 15(a)(2) to file a Second Amended Complaint.
2. Whether the proposed amendment was futile because it failed to cure deficiencies identified in the Court's prior dismissal order.

HOLDINGS

1. Leave to amend should be granted because Defendants did not establish prejudice or bad faith, and the proposed Second Amended Complaint was not futile.
2. The proposed amendment was not futile merely because it might not cure deficiencies in claims previously dismissed, where it also included additional facts supporting claims the Court had allowed to proceed.

KEY QUOTATIONS

"However, the Rule requires courts to "freely give leave when justice so requires."" (I. LEGAL STANDARD)

"Accordingly, although this procedure is somewhat lacking in efficiency, in this Court's view, the cleanest record will be produced by permitting Plaintiff's Second Amended Complaint to be filed and then allowing Defendants to re-file their arguments in favor of dismissal, if they so choose, for this Court's substantive consideration under the Federal Rule of Civil Procedure 12(b)(6) standard." (II. DISCUSSION)

FACTUAL BACKGROUND

Plaintiff alleged employment-related retaliation and asserted, among other claims, that the Exelon Companies failed to compensate her under a settlement agreement. The Court had previously determined that Plaintiff pleaded viable claims concerning the alleged failure to compensate under that agreement. Plaintiff's proposed Second Amended Complaint added facts concerning both the previously dismissed claims and the claims allowed to proceed.

PROCEDURAL HISTORY

Plaintiff brought claims arising from alleged employment-related retaliation against the Outside Counsel Defendants, the Exelon Companies, and Clifford Glover. The Court previously granted the Outside Counsel Defendants' motion to dismiss, granted the Exelon Defendants' motion to dismiss as to Glover, and denied it as to the Exelon Companies. Plaintiff then moved for leave to file a Second Amended Complaint. The Court granted leave and permitted Defendants to respond in the ordinary course.

DISPOSITION

other

CASES CITED

- Galustian v. Peter, 591 F.3d 724, 729 (4th Cir. 2010)
- Johnson v. Oroweat Foods Co., 785 F.2d 503, 509-10 (4th Cir. 1986)
- Foman v. Davis, 371 U.S. 178, 182 (1962)

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