

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

**Odai S. Albayati v. Cascade Windows, Cornerstone Building Brands,
Simonton Industries, and Simonton Windows**

Albayati · No. No. 2:25-CV-0120-TOR · Decided February 12, 2026

SUMMARY

The United States District Court for the Eastern District of Washington granted Defendants’ Rule 12(b)(6) motion to dismiss Odai S. Albayati’s claims against Cascade Windows, Cornerstone Building Brands, Simonton Industries, and Simonton Windows. The court found that Plaintiff failed to allege facts supporting any claim and dismissed the action with prejudice after previously allowing an opportunity to amend.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
WRITING FOR THE COURT	Thomas O. Rice
JURISDICTION	United States District Court for the Eastern District of Washington
DECIDED	February 12, 2026
DOCKET	No. 2:25-CV-0120-TOR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved to dismiss Plaintiff's Second Amended Complaints under Federal Rule of Civil Procedure 12(b)(6). Plaintiff did not respond. The court granted the motion with prejudice.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true and determines whether the complaint contains sufficient factual matter to state a claim for relief that is plausible on its face.
PRECEDENTIAL VALUE	unknown
PARTIES	Odai S. Albayati v. Cascade Windows, Cornerstone Building Brands, Simonton Industries, Simonton Windows

TOPICS

motions to dismiss

pleadings

civil procedure

commercial litigation

construction law

PRACTICE AREAS

civil procedure

commercial litigation

construction law

QUESTIONS PRESENTED

1. Whether Plaintiff's Second Amended Complaints stated any claim for relief that was plausible on its face under Federal Rule of Civil Procedure 12(b)(6).
2. Whether dismissal should be with prejudice after Plaintiff had already been given an opportunity to amend.

HOLDINGS

1. The complaints failed to state any claim because they did not allege facts supporting the elements required for Plaintiff's claims.
2. Dismissal with prejudice was appropriate because the court had already given Plaintiff an opportunity to amend.

KEY QUOTATIONS

“a complaint must contain sufficient factual matter, accepted as true, “to state a claim to relief that is plausible on its face.”” (at 3-6)

“more than a simple “formulaic recitation of a cause of action’s elements.”” (at 6-7)

FACTUAL BACKGROUND

Plaintiff filed two Second Amended Complaints against Cascade Windows, Cornerstone Building Brands, Simonton Industries, and Simonton Windows. The court concluded that the pleadings did not contain facts supporting the elements of any asserted claim. Plaintiff had previously been given an opportunity to amend and did not respond to Defendants' motion to dismiss.

PROCEDURAL HISTORY

Plaintiff filed two Second Amended Complaints on October 24 and October 27, 2025. Defendants then moved to dismiss. The court considered the motion without oral argument, found that Plaintiff failed to state any claim, and dismissed the action with prejudice after noting that Plaintiff had already been given an opportunity to amend.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 545, 570 (2007)

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