

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII

Kenneth L. Lawson v. University of Hawaii, et al.

Civ. No. 24-00172 LEK-RT · No. Civ. No. 24-00172 LEK-RT · Decided May 31, 2026

SUMMARY

The United States District Court for the District of Hawaii granted in part and denied in part Kenneth L. Lawson’s Rule 12(c) motion for judgment on the pleadings concerning Camille Nelson’s defamation and intentional infliction of emotional distress counterclaims. The court dismissed the counterclaims because they lacked an independent basis for federal jurisdiction and the court declined to exercise supplemental jurisdiction over them under 28 U.S.C. § 1367(c)(4). The court did not reach Lawson’s remaining arguments concerning judicial notice, litigation privilege, limitations, or pleading sufficiency.

CASE DETAILS

COURT	United States District Court for the District of Hawaii
WRITING FOR THE COURT	Leslie E. Kobayashi
JURISDICTION	United States District Court for the District of Hawaii
DECIDED	May 31, 2026
DOCKET	Civ. No. 24-00172 LEK-RT
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff and counterclaim defendant Kenneth L. Lawson moved under Federal Rule of Civil Procedure 12(c) for judgment on the pleadings against Camille Nelson's counterclaim for defamation and intentional infliction of emotional distress.
STANDARD OF REVIEW	On a motion for judgment on the pleadings, the court considered whether it had subject-matter jurisdiction before reaching the merits. The court noted its independent obligation to determine whether subject-matter jurisdiction exists, even absent a party's challenge.
PRECEDENTIAL VALUE	Unknown; federal district court order with no reporter citation
PARTIES	Kenneth L. Lawson v. University of Hawaii, David Lassner, Michael Bruno, Camille Nelson, Nicholas A. Mirkay, Jane/John Does 1-10

TOPICS

motion for judgment on the pleadings

subject matter jurisdiction

civil procedure

torts

PRACTICE AREAS

civil procedure

civil rights

constitutional law

torts

QUESTIONS PRESENTED

1. Whether Nelson's defamation and intentional infliction of emotional distress counterclaims were compulsory or permissive under Federal Rule of Civil Procedure 13.
2. Whether the federal court had an independent basis for subject-matter jurisdiction over Nelson's state-law counterclaims.
3. Whether the court should exercise supplemental jurisdiction over the permissive state-law counterclaims under 28 U.S.C. §§ 1367(a) and 1367(c)(4).

HOLDINGS

1. Nelson's defamation and intentional infliction of emotional distress counterclaims were permissive rather than compulsory because their essential facts were not sufficiently logically related to Lawson's federal constitutional claims.
2. No independent basis for federal subject-matter jurisdiction existed over Nelson's counterclaims.
3. The court declined to exercise supplemental jurisdiction over Nelson's permissive counterclaims under 28 U.S.C. § 1367(c)(4) and dismissed the counterclaim on jurisdictional grounds.

KEY QUOTATIONS

“This Court therefore turns first to the issue of whether it has jurisdiction over Nelson’s Counterclaim.”
(Discussion)

“This Court finds that the claims asserted in Nelson’s Counterclaim are not compulsory counterclaims but permissive ones.” (Discussion)

“The Motion is GRANTED insofar as Nelson’s Counterclaim Against Plaintiff Kenneth L. Lawson, also filed March 10, 2026, is DISMISSED because this Court declines to exercise supplemental jurisdiction over the claims asserted in the Counterclaim.” (Conclusion)

FACTUAL BACKGROUND

Lawson, a tenured University of Hawai‘i law professor, alleged that the University and individual defendants retaliated against him and violated his constitutional rights in connection with his conduct at a February 17, 2023 faculty meeting and emails concerning a Black History Month event. Nelson, the law school's dean, alleged that Lawson made false statements about her conduct in emails and other litigation, causing reputational and emotional harm. Nelson asserted state-law defamation and intentional infliction of emotional distress counterclaims. The same counterclaim was also pending in a Hawai‘i state-court action that had advanced further than the federal case.

PROCEDURAL HISTORY

Lawson filed this federal civil-rights action in April 2024 and later filed a first amended complaint asserting claims under 42 U.S.C. § 1983 and the First and Fourteenth Amendments. Nelson filed a counterclaim in March 2026 asserting state-law defamation and IIED claims based on events and statements related to the underlying dispute. A materially identical counterclaim was pending in a Hawai'i state-court action, where Lawson's motion to dismiss had been denied and an appeal was pending. The federal court dismissed Nelson's counterclaim because it declined to exercise supplemental jurisdiction, while denying or declining to reach Lawson's remaining Rule 12(c) arguments.

DISPOSITION

dismissed

CASES CITED

- *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006)
- *Pochiro v. Prudential Ins. Co. of Am.*, 827 F.2d 1246, 1249 (9th Cir. 1987)
- *Sams v. Beech Aircraft*, 625 F.2d 273, 276 n.4 (9th Cir. 1980)
- *Baker v. Gold Seal Liquors*, 417 U.S. 467, 469 n.1 (1974)
- *Martin v. L. Offs. of John F. Edwards*, 262 F.R.D. 534, 536 (S.D. Cal. 2009)
- *Kuschnier v. Nationwide Credit, Inc.*, 256 F.R.D. 684, 689 (E.D. Cal. 2009)
- *Otsuka v. Polo Ralph Lauren Corp.*, 2008 WL 2037621, at *3 (N.D. Cal. May 12, 2008)
- *Iglesias v. Mutual Life Ins. Co. of New York*, 156 F.3d 237, 241 (1st Cir. 1998)
- *Sparrow v. Mazda American Credit*, 385 F. Supp. 2d 1063, 1070 (E.D. Cal. 2005)
- *Unique Concepts, Inc. v. Manuel*, 930 F.2d 573, 574 (7th Cir. 1991)
- *Citrus World, Inc. v. Ferraiuoli, Torres, Marchand & Rovira*, P.S.C., 2014 WL 1007744, at *13 n.29 (D.P.R. Mar. 14, 2014)
- *Global NAPs, Inc. v. Verizon New England Inc.*, 603 F.3d 71, 87 (1st Cir. 2010)
- *Nalan v. Access Financial, Inc.*, 2020 WL 6270945, at *4 (N.D. Cal. Oct. 23, 2020)
- *City of Chicago v. International College of Surgeons*, 522 U.S. 156, 172 (1997)