

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

Mandy Nielsen v. Seven Seventeen Credit Union, Inc., et al.

Case No. 4:24-CV-00579 · No. 4:24-CV-00579 · Decided January 15, 2026

SUMMARY

This document is an order by a magistrate judge of the U.S. District Court for the Northern District of Ohio resolving defendants’ joint motion for sanctions in an employment-discrimination action. The court addresses the plaintiff’s repeated failure to comply with discovery orders, including failures involving job-search records, social-media communications, text messages, and photographs, as well as alleged spoliation of electronically stored information. The order applies Federal Rule of Civil Procedure 37(b) and 37(e) and considers sanctions including evidentiary restrictions and attorney fees.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	Amanda M. Knapp
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	January 15, 2026
DOCKET	4:24-CV-00579
DISPOSITION	other
PROCEDURAL POSTURE	Defendants Angelo LoCastro and Seven Seventeen Credit Union, Inc. moved for sanctions based on Plaintiff’s alleged violations of discovery orders, failure to produce documents, and spoliation of electronically stored information. The motion was referred to the magistrate judge under 28 U.S.C. § 636(b)(1)(A) and Federal Rule of Civil Procedure 72(a) for determination as a non-dispositive pretrial matter.
STANDARD OF REVIEW	The Court applied the Sixth Circuit’s four-factor framework for Rule 37 sanctions: whether the party acted in bad faith, whether the opposing party was prejudiced, whether the Court gave adequate warning, and whether less drastic sanctions could have ensured compliance. For spoliation under Rule 37(e)(1), the Court considered

	the duty to preserve, reasonable preservation efforts, whether the information could be restored or replaced, and prejudice.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Mandy Nielsen v. Seven Seventeen Credit Union, Inc., Angelo LoCastro, Defendants

TOPICS

sanctions

discovery dispute

evidence

employment discrimination

title vii

PRACTICE AREAS

civil procedure

employment discrimination

Title VII

discovery sanctions

spoliation

QUESTIONS PRESENTED

1. Whether Plaintiff's repeated violations of discovery orders warranted sanctions under Federal Rule of Civil Procedure 37(b)(2)(A).
2. Whether Plaintiff should be barred from introducing evidence concerning job searches, social-media communications, photographs, and text communications because of her discovery violations.
3. Whether Plaintiff's deletion of explicit photographs after filing suit constituted spoliation warranting a sanction under Federal Rule of Civil Procedure 37(e)(1).
4. Whether Defendants were entitled to attorney fees under Federal Rule of Civil Procedure 37(b)(2)(C).

HOLDINGS

1. Plaintiff's repeated failure to comply with orders requiring production of job-search documentation warranted sanctions, but dismissal of the lost-wage claim was more drastic than necessary. The Court prohibited Plaintiff from introducing evidence, including testimony, about job searches in support of lost-wage damages unless the searches were substantiated by documentary evidence.
2. Plaintiff's failure to produce complete and verifiable social-media communications in compliance with the Court's orders warranted prohibiting the introduction of evidence, including screenshots and testimony, concerning her social-media posts or communications with or about LoCastro, except for materials produced in native format.
3. Plaintiff's failure to comply with the order to produce specified photographs in native format or establish that the produced formats were the only originals in her possession warranted exclusion of those photographs, except for photographs produced in native format containing metadata.
4. Plaintiff's failure to produce complete text-message exchanges concerning LoCastro warranted prohibiting the introduction of evidence, including testimony, concerning her text communications with others about LoCastro's actions, except for communications produced in their entirety.
5. Plaintiff violated Federal Rule of Civil Procedure 37(e)(1) by deleting relevant explicit photographs after litigation began while under a duty to preserve them. The appropriate sanction was to permit Defendants

to present evidence about the deletion and to allow a permissive adverse-inference jury instruction, rather than impose the broader exclusion requested by Defendants.

6. Defendants' request for attorney fees was denied without prejudice because the request was underdeveloped and lacked supporting documentation necessary for the Court to determine the appropriate award.

KEY QUOTATIONS

“Under Rule 37(e)(1), this Court may only impose sanctions that are “no greater than necessary to cure the prejudice” suffered by Defendants due to the destruction of the relevant evidence.” (Section III.F)

“The Court further finds that sanctions are warranted under Federal Rule of Civil Procedure Rule 37(e), and accordingly ORDERS that Defendants may present evidence at trial to show that Plaintiff deleted explicit photographs she sent to Mr. LoCastro when she was under a duty to preserve that evidence for this litigation, and that a permissive jury instruction may be entered to inform jurors of their ability to draw an adverse inference from those actions at their discretion.” (Conclusion)

FACTUAL BACKGROUND

Plaintiff repeatedly failed to comply with discovery orders requiring production of job-search records, social-media communications, native-format photographs, and complete text-message exchanges concerning Defendant Angelo LoCastro. She acknowledged during depositions that she had not searched for or produced some responsive materials and later provided incomplete or unsupported productions. Plaintiff also testified that she deleted explicit photographs from her phone and cloud storage probably after filing the lawsuit, despite the photographs' relevance to her sex-discrimination and hostile-work-environment claims.

PROCEDURAL HISTORY

Plaintiff filed claims for sex discrimination and hostile work environment under Title VII, sex discrimination under Ohio law, retaliation, and state-law tort claims. The Court dismissed the assault, battery, and intentional-infliction-of-emotional-distress claims, and Plaintiff later filed a notice purporting to dismiss the retaliation claim. During discovery, the Court entered orders requiring Plaintiff to produce specified employment-search records, social-media communications, photographs, and text messages. After finding repeated noncompliance and deletion of relevant photographs after litigation began, the magistrate judge imposed evidentiary sanctions under Rules 37(b)(2)(A) and 37(e)(1), while denying Defendants' attorney-fee request without prejudice.

DISPOSITION

other

CASES CITED

- Laukus v. Rio Brands, Inc., 292 F.R.D. 485, 500 (N.D. Ohio 2013)
- Chambers v. NASCO, Inc., 501 U.S. 32, 42 n. 8 (1991)
- Peltz v. Moretti, 292 F. App'x 475, 478-79 (6th Cir. 2008)

- Prime Rate Premium Fin. Corp., Inc. v. Larson, 930 F.3d 759, 769 (6th Cir. 2019)
- John B. v. Goetz, 531 F.3d 448, 459 (6th Cir. 2008)
- Fujitsu Ltd. v. Fed. Express Corp., 247 F.3d 423, 436 (2d Cir. 2001)
- Adkins v. Wolever, 692 F.3d 499, 503 (6th Cir. 2012)
- Downey v. Clauder, 30 F.3d 681, 685 (6th Cir. 1994)
- Grace v. Center for Auto Safety, 72 F.3d 1236, 1243 (6th Cir. 1996)
- EPAC Techs., Inc. v. HarperCollins Christian Publ'g, Inc., 810 F. App'x 389, 403 (6th Cir. 2020)
- Schnatter v. 247 Grp., LLC, No. 320CV00003BJBCHL, 2022 WL 2402658, at *17 (W.D. Ky. Mar. 14, 2022)
- McPherson v. Kelsey, 125 F.3d 989, 995-96 (6th Cir. 1997)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-northern-district-of-oh/2026/mandy-nielsen-v-seven-seventeen-credit-union-inc-et-al-ugtg6f0>