

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Rubio v. Credence Management Solutions, LLC

Rubio · No. Civil Action No. 25-1784 (RBW) · Decided April 30, 2026

SUMMARY

The United States District Court for the District of Columbia considers Credence Management Solutions, LLC's Rule 12(b)(6) motion to dismiss Franklin Osvaldo Rubio's claims for Title VII discrimination and retaliation, DCHRA wrongful termination, and common-law defamation. The court concludes that the Title VII and DCHRA claims are time-barred and that equitable tolling does not apply. It also concludes that the defamation allegations are insufficiently pleaded.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Reggie B. Walton
JURISDICTION	United States District Court for the District of Columbia
DECIDED	April 30, 2026
DOCKET	Civil Action No. 25-1784 (RBW)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the amended complaint asserting Title VII discrimination, hostile-work-environment, and retaliation claims; a DCHRA wrongful-termination claim; and common-law defamation.
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 plausible claim for relief. Legal conclusions and conclusory allegations are not accepted as true. An affirmative defense may be resolved on a motion to dismiss when the facts establishing it are clear from the face of the complaint.
PRECEDENTIAL VALUE	Published memorandum opinion; no reporter citation appears in the source text.
PARTIES	Franklin Osvaldo Rubio v. Credence Management Solutions, LLC

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QUESTIONS PRESENTED

1. Whether Rubio's Title VII discrimination, hostile-work-environment, and retaliation claims were time-barred because he did not file an EEOC charge within 300 days of the alleged employment-related acts.
2. Whether Rubio's DCHRA wrongful-termination claim was time-barred under the applicable one-year limitations period, including the effect of tolling during administrative proceedings.
3. Whether equitable tolling applied to Rubio's Title VII or DCHRA claims.
4. Whether Rubio adequately pleaded a District of Columbia common-law defamation claim based on statements to an associate and an unidentified prospective employer.
5. Whether Rubio's bare request for leave to amend in his opposition constituted a proper Rule 15(a)(2) motion.

HOLDINGS

1. The Title VII claims were time-barred because Rubio filed his EEOC charge 354 days after his May 3, 2024 termination, beyond the applicable 300-day filing period.
2. The DCHRA wrongful-termination claim was time-barred because Rubio waited 385 days from his termination to file suit, even accounting for tolling during the administrative proceeding.
3. Equitable tolling did not apply because Rubio failed to show that he diligently pursued his rights or that extraordinary circumstances prevented timely filing.
4. Rubio failed to state a defamation claim because the allegation concerning an unidentified prospective employer lacked sufficient factual detail, and the allegation concerning the associate did not plausibly establish that the statement about performance-related termination was false.
5. Rubio's bare request for leave to amend in his opposition did not constitute a motion under Rule 15(a)(2), so the court denied the request.

KEY QUOTATIONS

“To survive a motion to dismiss [under Rule 12(b)(6)], a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” (5)

“Without more, the Court cannot reasonably infer that Ms. Smith’s comment was false, especially in light of the factual allegations contained in the Amended Complaint that appear to contradict his conclusory statements regarding the quality of his performance.” (15)

FACTUAL BACKGROUND

Rubio alleged that Credence employed him as a system administrator from November 27, 2023, until terminating him on May 3, 2024, after placing him on a performance-improvement plan. He claimed that he was held to stricter standards than other system administrators and that he experienced unfair treatment related to performance criticism, absences, and workplace conduct. He also alleged that Credence later told an associate and an unidentified prospective employer that he had been terminated or had performed poorly.

PROCEDURAL HISTORY

Rubio filed an EEOC charge on April 22, 2025, received a right-to-sue notice on May 6, 2025, and filed this action on June 6, 2025. The court granted the defendant's motion for a more definite statement and directed Rubio to amend his complaint. After the amended complaint was filed, Credence moved to dismiss, and the court granted the motion, dismissing all claims.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-70 (2007)
- Hettinga v. United States, 677 F.3d 471, 476 (D.C. Cir. 2012)
- Schuler v. United States, 617 F.2d 605, 608 (D.C. Cir. 1979)
- Equal Employment Opportunity Commission v. St. Francis Xavier Parochial School, 117 F.3d 621, 624 (D.C. Cir. 1997)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Richardson v. United States, 193 F.3d 545, 548 (D.C. Cir. 1999)
- Brown v. Whole Foods Market Group, Inc., 789 F.3d 146, 152 (D.C. Cir. 2015)
- Hedrick v. Federal Bureau of Investigation, 216 F. Supp. 3d 84, 93 (D.D.C. 2016)
- McNeil v. United States, 508 U.S. 106, 113 (1993)
- Payne v. Salazar, 619 F.3d 56, 65 (D.C. Cir. 2010)
- Bowden v. United States, 106 F.3d 433, 437 (D.C. Cir. 1997)
- Duberry v. Inter-Con Security Systems, Inc., 898 F. Supp. 2d 294, 298 (D.D.C. 2012)
- Craig v. District of Columbia, 74 F. Supp. 3d 349, 361 (D.D.C. 2014)
- Alexander v. Washington Metropolitan Area Transit Authority, 826 F.3d 544, 551 (D.C. Cir. 2016) (per curiam)
- Currier v. Radio Free Europe/Radio Liberty, Inc., 159 F.3d 1363, 1367 (D.C. Cir. 1998)
- Zipes v. Trans World Airlines, Inc., 455 U.S. 385, 393 (1982)
- Smith-Haynie v. District of Columbia, 155 F.3d 575, 578, 580 (D.C. Cir. 1998)
- Menominee Indian Tribe of Wisconsin v. United States, 577 U.S. 250, 255 (2016)
- Irwin v. Department of Veterans Affairs, 498 U.S. 89, 96 (1990)

- *McAlister v. Potter*, 733 F. Supp. 2d 134, 143-44 (D.D.C. 2010)
- *Jankovic v. International Crisis Group*, 494 F.3d 1080, 1088 (D.C. Cir. 2007)
- *Croixland Properties L.P. v. Corcoran*, 174 F.3d 213, 215 (D.C. Cir. 1999)
- *Farah v. Esquire Magazine*, 736 F.3d 528, 534 (D.C. Cir. 2013)
- *Moss v. Stockard*, 580 A.2d 1011, 1023 (D.C. 1990)
- *Luhn v. Scott*, 843 F. App'x 326, 327 (D.C. Cir. 2021)
- *Smith v. Clinton*, 886 F.3d 122, 128 (D.C. Cir. 2018)
- *Benz v. Washington Newspaper Publishing Co.*, No. 05-cv-1760 (EGS), 2006 WL 2844896, at *3 (D.D.C. Sept. 29, 2006)
- *Klayman v. Segal*, 783 A.2d 607, 613 (D.C. 2001)
- *Solers, Inc. v. Doe*, 977 A.2d 941, 948 (D.C. 2009)
- *Ruifang Hu v. K4 Solutions, Inc.*, No. 18-cv-1240 (TSC), 2020 WL 1189297, at *12 (D.D.C. Mar. 12, 2020)
- *Oparaugo v. Watts*, 884 A.2d 63, 76-77 (D.C. 2005)
- *Weyrich v. New Republic, Inc.*, 235 F.3d 617, 623 (D.C. Cir. 2001)
- *Libre By Nexus v. Buzzfeed, Inc.*, 311 F. Supp. 3d 149, 155 n.2 (D.D.C. 2018)
- *Rollins v. Wackenhut Services, Inc.*, 703 F.3d 122, 130 (D.C. Cir. 2012)

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