

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE, WESTERN DIVISION

Vanessa Peacock v. Truity Credit Union; Equifax Information
Services, LLC; Experian Information Solutions, Inc.; and
TransUnion, LLC

Peacock · No. 2:26-cv-02200-SHL-cgc · Decided June 2, 2026

SUMMARY

The court construed Plaintiff Vanessa Peacock’s notices of voluntary dismissal under Federal Rule of Civil Procedure 41 as motions to drop individual defendants under Rule 21 because the case involved multiple defendants. The court dismissed with prejudice all claims against Experian Information Solutions, Inc., Truity Credit Union, and TransUnion, LLC, while leaving Peacock’s claims against Equifax Information Services, LLC, pending.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee, Western Division
WRITING FOR THE COURT	Sheryl H. Lipman
JURISDICTION	United States District Court for the Western District of Tennessee, Western Division
DECIDED	June 2, 2026
DOCKET	2:26-cv-02200-SHL-cgc
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed notices of voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i) as to three defendants while claims against a fourth defendant remained pending. The court construed the notices as motions to drop parties under Rule 21 and dismissed the claims against the three identified defendants with prejudice.
STANDARD OF REVIEW	The court applied the Federal Rules of Civil Procedure to determine the proper procedural mechanism for dismissing individual defendants; no appellate standard of review was applicable.
PRECEDENTIAL VALUE	Unknown

PARTIES

Vanessa Peacock v. Truity Credit Union, Equifax Information Services, LLC, Experian Information Solutions, Inc., TransUnion, LLC

TOPICS

civil procedure

motions to dismiss

PRACTICE AREAS

civil procedure

consumer protection

QUESTIONS PRESENTED

1. Whether a plaintiff may dismiss individual defendants in a multi-defendant action through notices under Federal Rule of Civil Procedure 41(a)(1)(A)(i).
2. Whether the court should construe the notices as motions under Federal Rule of Civil Procedure 21 and dismiss the three identified defendants with prejudice.

HOLDINGS

1. When a plaintiff seeks to dismiss a single defendant rather than the entire lawsuit in a multi-defendant action, Federal Rule of Civil Procedure 21, rather than Rule 41, provides the appropriate basis for dismissal.
2. The claims against Experian Information Solutions, Inc., Truity Credit Union, and TransUnion, LLC, were dismissed with prejudice under Rule 21, while the claims against Equifax Information Services, LLC, remained pending.

KEY QUOTATIONS

“Rule 21 provides the appropriate basis for dismissal of a single defendant”

“Thus, all claims against Defendants Experian Information Solutions, Inc.; Truity Credit Union; and TransUnion, LLC, are DISMISSED WITH PREJUDICE under Rule 21.”

FACTUAL BACKGROUND

Peacock sued Truity Credit Union, Equifax Information Services, LLC, Experian Information Solutions, Inc., and TransUnion, LLC. She sought to dismiss Experian, Truity, and TransUnion with prejudice, while preserving her claims against Equifax. The three defendants had not filed answers or motions for summary judgment.

PROCEDURAL HISTORY

Vanessa Peacock filed three notices of voluntary dismissal on May 15, May 20, and June 1, 2026, seeking dismissal of Experian Information Solutions, Inc., Truity Credit Union, and TransUnion, LLC. None of those defendants had filed an answer or a motion for summary judgment. Because the action involved multiple

defendants and claims against Equifax Information Services, LLC remained pending, the court treated the notices as Rule 21 motions and dismissed the three defendants with prejudice.

DISPOSITION

dismissed

CASES CITED

- Henderson-Thompson v. Jardoine, No. 22-cv-2013, 2022 WL 349896, at *2 (W.D. Tenn. Feb. 4, 2022)
- Philip Carey Mfg. Co. v. Taylor, 286 F.2d 782, 785 (6th Cir. 1961)
- Wilkerson v. Brakebill, No. 15-CV-435, 2017 WL 401212, at *2 (E.D. Tenn. Jan. 30, 2017)

OPINION

Peacock

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

WESTERN DIVISION

VANESSA PEACOCK,)

) Plaintiff,)) v.)

TRUITY CREDIT UNION; EQUIFAX

) No. 2:26-cv-02200-SHL-cgc) INFORMATION SERVICES, LLC;)

EXPERIAN INFORMATION SOLUTIONS,

) INC.; and TRANSUNION, LLC,) Defendants.)

ORDER DISMISSING DEFENDANTS EXPERIAN INFORMATION SOLUTIONS,
INC., TRUITY CREDIT UNION, AND TRANSUNION, LLC, WITH PREJUDICE

Before the Court are three Notices of Voluntary Dismissal by Plaintiff Vanessa Peacock, filed May 15, May 20, and June 1, 2026. (ECF Nos. 15–17.) Peacock seeks to dismiss with prejudice Defendants Experian Information Solutions, Inc.; Truity Credit Union; and TransUnion, LLC, under Federal Rule of Civil Procedure 41(a)(1)(A)(i). (ECF Nos. 15–17.) Peacock’s claims against Defendant Equifax Information Services, LLC, remain. Because these three Defendants have not filed an answer or a motion for summary judgment, dismissal under Rule 41(a)(1)(A)(i) would be proper if one of them were the only defendant in the case. However, in multi-defendant matters, “Rule 21 provides the appropriate basis for dismissal of a single defendant,” not Rule 41. Henderson-Thompson v. Jardoine, No. 22-cv-2013, 2022 WL 349896, at *2 (W.D. Tenn. Feb. 4, 2022) (citing Philip Carey Mfg. Co. v. Taylor, 286 F.2d 782, 785 (6th Cir. 1961)); see also Wilkerson v. Brakebill, No. 15-CV-435, 2017 WL 401212, at *2 (E.D. Tenn. Jan. 30, 2017) (collecting district court cases recognizing that Rule 21, rather than Rule 41, is applicable when dismissing a single claim or defendant instead of an entire lawsuit). The Court will therefore

construe the Rule 41 notices as motions under Rule 21. See Henderson-Thompson, 2022 WL 349896, at *2. Rule 21 permits a court to drop a party at any time on motion or on its own. Fed. R. Civ. P. 21. Dropping parties under Rule 21 functions as a dismissal of the party. See Henderson-Thompson, 2022 WL 349896, at *2. Thus, all claims against Defendants Experian Information Solutions, Inc.; Truity Credit Union; and TransUnion, LLC, are DISMISSED WITH PREJUDICE under Rule 21. This dismissal does not apply to Peacock's claims against Defendant Equifax Information Services, LLC. IT IS SO ORDERED, this 2nd day of June, 2026. s/ Sheryl H. Lipman
SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE