UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION

Bryan D. Winter v. Edward D. Jones & Co., L.P. et al.

Winter · No. 4:25-cv-00299-SRC · Decided December 18, 2025

SUMMARY

The United States District Court for the Eastern District of Missouri considers Edward D. Jones & Co.'s motion to strike class allegations and compel arbitration in Bryan Winter's action alleging race discrimination under 42 U.S.C. § 1981. The Court holds that Winter may pursue race-discrimination claims but is not an adequate representative for equitable relief and may not certify the proposed classes under Federal Rule of Civil Procedure 23(b)(1) or (b)(2). The Court otherwise denies the motion to strike and denies the motion to compel arbitration without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	Stephen R. Clark
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	December 18, 2025
DOCKET	4:25-cv-00299-SRC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a putative class action under 42 U.S.C. § 1981 alleging race discrimination in Edward Jones's employment policies. Defendants moved to strike the class allegations and compel arbitration.
STANDARD OF REVIEW	On a motion to strike class allegations at the pleading stage, the court asks whether the complaint makes apparent that the class cannot be certified. The court accepts well-pleaded factual allegations as true and may consider whether the allegations lack a legal basis. A motion to compel arbitration is evaluated under a standard akin to summary judgment, viewing evidence in the light most favorable to the nonmoving party and resolving factual disputes in that party's favor.
PRECEDENTIAL VALUE	Unknown

TOPICS

class actions | arbitration | racial discrimination | employment discrimination | civil procedure

PRACTICE AREAS

civil procedure | employment law | civil rights | arbitration

QUESTIONS PRESENTED

1. Whether the Second Amended Complaint's putative class allegations should be stricken because the proposed class could not satisfy Federal Rule of Civil Procedure 23.
2. Whether a § 1981 action could include claims based on sex or sexual-orientation discrimination.
3. Whether a former employee had standing and could adequately represent a class seeking injunctive or declaratory relief.
4. Whether the proposed classes could be certified under Rule 23(b)(1) or Rule 23(b)(2).
5. Whether the court should compel arbitration while the action remained a putative class action subject to FINRA Rule 13204.

HOLDINGS

1. Section 1981 is limited to race-discrimination claims and does not encompass claims based on sex or sexual orientation. The court therefore struck the class allegations to the extent they asserted those theories and directed that the class definition be modified accordingly.
2. Because Winter was a former employee who could not establish a likelihood of future injury from Edward Jones's policy, he lacked standing to seek injunctive or declaratory relief for himself and could not seek those remedies on behalf of the proposed classes.
3. The plaintiff could not certify the proposed classes under Rule 23(b)(1) based on the allegations pleaded because he sought individualized monetary damages, and the case did not present the type of mandatory class action contemplated by Rule 23(b)(1).
4. The plaintiff could not certify the proposed classes under Rule 23(b)(2) because he lacked standing to seek injunctive or declaratory relief and the proposed class claims were not cohesive.
5. The court denied the motion to strike the remaining race-based damages class allegations because the complaint alleged a legally viable common question under § 1981 and did not conclusively establish that the classes could not be certified.
6. The court denied the motion to compel arbitration without prejudice because the class allegations were not stricken in full and FINRA Rule 13204 does not permit enforcement of an otherwise enforceable arbitration agreement while a party sues in the form of a class action.

KEY QUOTATIONS

> *"The Court therefore grants Edward Jones's motion to strike only insofar as Winter alleges (1) claims of discrimination on the basis of sex or sexual orientation; (2) adequacy of representation to seek injunctive or*

> *declaratory relief; and (3) class certification under Rule 23(b)(1) or 23(b)(2).”*

> *“Finally, the Court denies, without prejudice, Edward Jones’s Motion to Compel Arbitration.”*

FACTUAL BACKGROUND

Bryan Winter, a former straight white male financial advisor at Edward Jones, alleged that the company's equity policy affected compensation, Goodknight asset transfers, performance ratings, promotions, advancement, and termination decisions. He claimed that the policy favored women and racial, sexual-orientation, and gender minorities, causing him and similarly situated white male advisors to lose compensation and advancement opportunities. He sought to represent a class and subclasses of white male financial advisors under 42 U.S.C. § 1981.

PROCEDURAL HISTORY

After the plaintiff filed successive amended complaints, the defendants filed a second motion to strike the class allegations and compel arbitration. The court considered the motion against the Second Amended Complaint, granted the motion to strike in part, denied it in all other respects, and denied the motion to compel arbitration without prejudice.

DISPOSITION

other

CASES CITED

- Kelly v. Kosuga, 358 U.S. 516, 517 (1959)
- Yang v. Robert Half International, Inc., 79 F.4th 949, 962 (8th Cir. 2023)
- Comcast Corp. v. National Association of African American-Owned Media, 589 U.S. 327, 341 (2020)
- Gregory v. Dillard's, Inc., 565 F.3d 464, 469 (8th Cir. 2009) (en banc)
- Collins v. Union Pacific Railroad Co., 108 F.4th 1049, 1052-53 (8th Cir. 2024)
- Bostock v. Clayton County, 590 U.S. 644, 656, 662, 683 (2020)
- Muldrow v. City of St. Louis, 601 U.S. 346, 354-55 (2024)
- Wal-Mart Stores, Inc. v. Dukes, 564 U.S. 338, 348-50, 360-63 (2011)
- Hudock v. LG Electronics U.S.A., Inc., 12 F.4th 773, 775 (8th Cir. 2021)
- Avritt v. Reliastar Life Insurance Co., 615 F.3d 1023, 1029 (8th Cir. 2010)
- Ford v. TD Ameritrade Holding Corp., 115 F.4th 854, 861 (8th Cir. 2024)
- In re St. Jude Medical, Inc., 522 F.3d 836, 841 (8th Cir. 2008)
- Paxton v. Union National Bank, 688 F.2d 552, 559-63 (8th Cir. 1982)
- Ebert v. General Mills, Inc., 823 F.3d 472, 478-80 (8th Cir. 2016)
- International Woodworkers of America, AFL-CIO, CLC v. Georgia-Pacific Corp., 568 F.2d 64, 67 (8th Cir. 1978)
- Donelson v. Ameriprise Financial Services, Inc., 999 F.3d 1080, 1092-93 (8th Cir. 2021)

- Elizabeth M. v. Montenez, 458 F.3d 779, 784 (8th Cir. 2006)
- O'Shea v. Littleton, 414 U.S. 488, 494 (1974)
- Sabers v. Delano, 100 F.3d 82, 84 (8th Cir. 1996)
- Hillesheim v. Holiday Stationstores, Inc., 903 F.3d 786, 792 (8th Cir. 2018)
- Sandusky Wellness Center, LLC v. Medtox Scientific, Inc., 821 F.3d 992, 996 (8th Cir. 2016)
- McKeage v. TMBC, LLC, 847 F.3d 992, 998 (8th Cir. 2017)
- Amchem Products, Inc. v. Windsor, 521 U.S. 591, 614 (1997)
- Ortiz v. Fibreboard Corp., 527 U.S. 815, 832-41 (1999)
- Harris v. Union Pacific Railroad Co., 953 F.3d 1030, 1033 (8th Cir. 2020)
- Tyson Foods, Inc. v. Bouaphakeo, 577 U.S. 442, 453 (2016)
- Nebraska Machinery Co. v. Cargotec Solutions, LLC, 762 F.3d 737, 741-44 (8th Cir. 2014)
- Northport Health Services of Arkansas, LLC v. Posey, 930 F.3d 1027, 1030 (8th Cir. 2019)
- Robinson v. EOR-ARK, LLC, 841 F.3d 781, 783-84 (8th Cir. 2016)
- First Options of Chicago, Inc. v. Kaplan, 514 U.S. 938, 944-45 (1995)
- Torres v. Simpatico, Inc., 781 F.3d 963, 968 (8th Cir. 2015)
- Luis v. RBC Capital Markets, LLC, 984 F.3d 575, 577 (8th Cir. 2020)
- Thomas v. United Steelworkers Local 1938, 743 F.3d 1134, 1140 (8th Cir. 2014)