

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

JobsOhio v. EmKey Energy, LLC, et al.

JobsOhio · No. 2:21-cv-3680 · Decided December 4, 2025

SUMMARY

The United States District Court for the Southern District of Ohio grants Hallan Invest, SA’s motion to intervene under Federal Rule of Civil Procedure 24(b) for the limited purpose of participating in post-judgment proceedings involving JobsOhio’s garnishment efforts against EmKey Energy, LLC and EmKey Gathering, LLC. The court denies Hallan’s request for intervention as of right under Rule 24(a)(2), finding that Hallan had not shown impairment of its interests absent intervention, and denies the defendants’ related motion concerning a garnishment hearing as moot.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Eastern Division
WRITING FOR THE COURT	Algenon L. Marbley
JURISDICTION	United States District Court for the Southern District of Ohio
DECIDED	December 4, 2025
DOCKET	2:21-cv-3680
DISPOSITION	other
PROCEDURAL POSTURE	Post-judgment proceedings on Hallan Invest, SA's motion to intervene for the limited purpose of participating in garnishment and other post-judgment proceedings, together with judgment debtors' motion concerning a garnishment hearing.
STANDARD OF REVIEW	Intervention as of right under Rule 24(a)(2) is evaluated under a four-factor test, including timeliness, a substantial legal interest, inadequate representation, and possible impairment of the interest. Permissive intervention under Rule 24(b) is committed to the district court's discretion and requires timeliness, a common question of law or fact, and consideration of undue delay or prejudice.
PRECEDENTIAL VALUE	unpublished district court opinion; precedential status unknown

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QUESTIONS PRESENTED

1. Whether Hallan Invest, SA was entitled to intervene as of right under Federal Rule of Civil Procedure 24(a)(2).
2. Whether Hallan should be permitted to intervene under Federal Rule of Civil Procedure 24(b) in post-judgment garnishment proceedings.
3. Whether the defendants' motion requesting a garnishment hearing, a continuance, and remote witness attendance remained live after Hallan was permitted to intervene and the scheduled hearing was vacated.

HOLDINGS

1. Hallan satisfied the timeliness, substantial legal interest, and inadequate-representation requirements, but failed to show that its interest might be impaired absent intervention; therefore, intervention as of right was denied.
2. Hallan was permitted to intervene for the limited purpose of participating in JobsOhio's post-judgment proceedings against EmKey Energy and EmKey Gathering.

KEY QUOTATIONS

“That admission alone is fatal to Hallan’s argument that Hallan’s legal interests would be impaired absent intervention.” (Section III.A.4)

“Thus, although Hallan’s requested intervention is not mandatory under Rule 24(a), the Court will permit Hallan to intervene under Rule 24(b) “for the limited purpose of participating in post-judgment proceedings brought by Plaintiff JobsOhio against Defendants EmKey Energy, LLC and EmKey Gathering, LLC,” in light of Hallan’s claimed senior interest in bank account assets.” (Section III.B)

FACTUAL BACKGROUND

JobsOhio loaned \$4 million to an affiliate of EmKey Energy to support a natural-gas pipeline project, and EmKey Energy and EmKey Gathering became jointly and severally liable for repayment under a consent judgment. JobsOhio sought to garnish bank accounts held by the two judgment debtors. Hallan claimed that it held a senior interest in the account assets through an assignment of Amegy Bank's rights and a guaranty under which EmKey Energy was allegedly a primary obligor for EmKey Gathering's obligations.

PROCEDURAL HISTORY

JobsOhio obtained a January 16, 2025 consent judgment against EmKey Energy, LLC and EmKey Gathering, LLC, jointly and severally, for \$4,958,905.32. JobsOhio then sought charging orders and a writ of garnishment directed at bank accounts belonging to the judgment debtors. After the magistrate judge scheduled a garnishment

hearing and invited interested third parties to intervene, Hallan moved to intervene based on an asserted senior interest in the targeted assets. The district court denied intervention as of right but granted permissive intervention under Federal Rule of Civil Procedure 24(b), and denied the defendants' related motion as moot.

DISPOSITION

other

CASES CITED

- JobsOhio v. EmKey Energy, LLC, 2025 WL 2780920, at *5 (S.D. Ohio Sept. 30, 2025)
- Grainger v. Ottawa County, 90 F.4th 507, 513-14, 516 (6th Cir. 2024)
- Coal. to Def. Affirmative Action v. Granholm, 501 F.3d 775, 779 (6th Cir. 2006)
- Bell v. Kasich, 2017 WL 3172778, at *5 (S.D. Ohio July 25, 2017)
- Bay Mills Indian Cmty. v. Snyder, 720 F. App'x 754, 759 (6th Cir. 2018)
- Estate of Lewis v. City of Columbus, 2025 WL 3120050, at *4, *9 (6th Cir. Nov. 7, 2025)
- Jansen v. City of Cincinnati, 904 F.2d 336, 340 (6th Cir. 1990)
- Alsaada v. City of Columbus, 2021 WL 1720999, at *2, *4 (S.D. Ohio Apr. 30, 2021)
- Huntington Nat'l Bank v. Schneider, 2023-Ohio-4813, ¶¶ 16-20 (Ohio Ct. App. 1st Dist.)
- Huntington Nat'l Bank v. Schneider, 2025-Ohio-2920, ¶¶ 12, 19 (Ohio)
- Zeeb Holdings, LLC v. Johnson, 338 F.R.D. 373, 378 (N.D. Ohio 2021)
- Matthews v. Educ. Credit Mgmt. Corp., 449 B.R. 265, 272 (E.D. Ky. 2011)
- Mandan, Hidatsa & Arikara Nation v. U.S. Dep't of the Interior, 66 F.4th 282, 285 (D.C. Cir. 2023)
- Trbovich v. United Mine Workers of Am., 404 U.S. 528, 538 n.10 (1972)
- In re Family Christian, LLC, 530 B.R. 417, 425 (W.D. Mich. Bankr. 2015)
- Liberte Cap. Grp., LLC v. Capwill, 126 F. App'x 214, 220 (6th Cir. 2005)
- Shy v. Navistar Int'l Corp., 291 F.R.D. 128, 138 (S.D. Ohio 2013)

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