UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Shaun Fleck v. Del-One Federal Credit Union

Fleck · No. 3:25-cv-01048-SB · Decided June 2, 2026

SUMMARY

The United States District Court for the District of Oregon granted Del-One Federal Credit Union's motion to dismiss Shaun Fleck's amended complaint. The court held that Fleck failed to plausibly allege a violation of the Fair Credit Reporting Act because he did not plead facts showing that Del-One's investigation was unreasonable or that the reported information was inaccurate or materially misleading. The amended complaint was dismissed with prejudice because further amendment would be futile.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Stacie F. Beckerman
JURISDICTION	United States District Court for the District of Oregon
DECIDED	June 2, 2026
DOCKET	3:25-cv-01048-SB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed an amended complaint asserting a Fair Credit Reporting Act claim. Defendant moved under Federal Rule of Civil Procedure 12(b)(2) and 12(b)(6) to dismiss for lack of personal jurisdiction and failure to state a claim. The court reached the merits without resolving personal jurisdiction and granted the motion to dismiss.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, draws reasonable inferences in the plaintiff's favor, and asks whether the complaint contains sufficient factual matter to state a claim that is plausible on its face. The same substantive standard applies to an in forma pauperis dismissal under 28 U.S.C. § 1915(e)(2)(B). Pro se pleadings are construed liberally, but the court may not supply essential elements that were not pleaded.
PRECEDENTIAL VALUE	Federal district court opinion; precedential status unknown and generally not binding outside the case.
PARTIES	Shaun Fleck v. Del-One Federal Credit Union

TOPICS

credit reporting | motions to dismiss | personal jurisdiction | pleadings | civil procedure

PRACTICE AREAS

consumer protection | credit reporting | civil procedure

QUESTIONS PRESENTED

1. Whether the court needed to resolve personal jurisdiction before deciding the FCRA claim.
2. Whether Fleck plausibly alleged that Del-One violated 15 U.S.C. § 1681s-2(b) by failing to conduct a reasonable investigation, failing to reconcile contradictory information, or continuing to furnish inaccurate or materially misleading information.
3. Whether the amended complaint should be dismissed with prejudice because further amendment would be futile.

HOLDINGS

1. The court reached the merits of the FCRA claim without first resolving whether it had personal jurisdiction over Del-One.
2. Fleck failed to state a plausible FCRA claim because he did not allege that Del-One failed to investigate or plead facts showing that Del-One's investigation was unreasonable, and he did not plausibly allege that Del-One's reporting was patently incorrect or materially misleading.
3. The amended complaint was dismissed with prejudice because Fleck had already received an opportunity to amend and further amendment would be futile.

KEY QUOTATIONS

> *"For these reasons, the Court concludes that Fleck has again failed to state a FCRA claim and therefore dismisses his amended complaint with prejudice because further leave to amend would be futile."* (at 39)

FACTUAL BACKGROUND

Fleck, an Oregon resident, became delinquent on an automobile loan from Del-One and Del-One charged off the remaining $31,550 balance in January 2022. In March 2025, Fleck disputed information associated with the account and demanded validation, release of the vehicle title, and removal of the lien. After initially stating that it lacked sufficient information to conduct a reasonable investigation, Del-One obtained supplemental information, investigated the dispute, and reported that the information was accurate. Fleck alleged that Del-One failed to conduct a reasonable investigation and continued reporting inaccurate or materially misleading information, including information involving multiple creditor identifiers.

PROCEDURAL HISTORY

Fleck filed suit on June 18, 2025, proceeding without counsel and in forma pauperis. The court previously dismissed his original complaint under Rule 12(b)(6) with leave to amend. Fleck filed an amended complaint on

April 8, 2026. The court held that the amended FCRA claim was not plausibly pleaded and dismissed it with prejudice because further amendment would be futile.

DISPOSITION

dismissed

CASES CITED

- McWhorter v. Experian Servs. Corp., No. 23-13427, 2025 WL 2604621, at *3 n.3 (11th Cir. Sept. 9, 2025)
- LeBlanc v. Unifund CCR Partners, 601 F.3d 1185, 1188 n.5 (11th Cir. 2010)
- Denton v. Hernandez, 504 U.S. 25, 27 (1992)
- Lopez v. Smith, 203 F.3d 1122, 1129 (9th Cir. 2000) (en banc)
- Hebrard v. Nofziger, 90 F.4th 1000, 1006-07 (9th Cir. 2024)
- Chavez v. Robinson, 817 F.3d 1162, 1167-68 (9th Cir. 2016)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-57, 570 (2007)
- Sernas v. Cantrell, 857 F. App'x 400, 401 (9th Cir. 2021)
- Draper v. Coombs, 792 F.2d 915, 924 (9th Cir. 1986)
- Seals v. L.A. Unified Sch. Dist., 797 F. App'x 327, 327 (9th Cir. 2020)
- Pliler v. Ford, 542 U.S. 225, 231 (2004)
- Washington v. Kijakazi, 72 F.4th 1029, 1040 (9th Cir. 2023)
- Owen v. City of Hemet, No. 21-55240, 2022 WL 16945887, at *1 (9th Cir. Nov. 15, 2022)
- Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010)
- Litmon v. Harris, 768 F.3d 1237, 1241 (9th Cir. 2014)
- Byrd v. Maricopa Cnty. Sheriff's Dep't, 629 F.3d 1135, 1140 (9th Cir. 2011) (en banc)
- Dickens v. Illinois, 753 F. App'x 390, 392 (7th Cir. 2018)
- Orea v. Quality Loan Service Corp., 859 F. App'x 799, 801 (9th Cir. 2021)
- Gorman v. Wolpoff & Abramson, LLP, 584 F.3d 1147, 1153, 1163 (9th Cir. 2009)
- Safeco Ins. Co. of Am. v. Burr, 551 U.S. 47, 52 (2007)
- Drew v. Equifax Info. Servs., LLC, 690 F.3d 1100, 1106-07 (9th Cir. 2012)
- Carvalho v. Equifax Info. Servs., LLC, 629 F.3d 876, 890 (9th Cir. 2010)
- Mayes v. Wells Fargo Bank, N.A., No. 20-cv-01347-AJB-JLB, 2021 WL 5763833, at *2 (S.D. Cal. May 14, 2021)
- Baldi v. Serv. Fin. Co. LLC, No. 1:25-cv-00353-JLT-EPG, 2025 WL 2775212, at *6 (E.D. Cal. Sept. 26, 2025)
- Harris v. Nissan-Infiniti LT, No. 217CV191JCMVCF, 2018 WL 2741040, at *4 (D. Nev. June 7, 2018)
- Yu v. Tesla Energy Operations, Inc., No. CV 21-0062 FMO (KSX), 2022 WL 3575314, at *4 (C.D. Cal. Mar. 7, 2022)

- Naimi-Yazdi v. JPMorgan Chase Bank, N.A., No. 5:21-cv-04390-EJD, 2022 WL 2307068, at *2 (N.D. Cal. June 27, 2022)
- Allen v. Inuit Inc., No. CV 25-7280 PA (PDX), 2026 WL 1459671, at *6 (C.D. Cal. May 21, 2026)
- Stafford v. Taffet, No. 1:24-cv-01612-AA, 2026 WL 799409, at *5 (D. Or. Mar. 23, 2026)
