NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

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No. 26-1060

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JEFFREY B. RUSSELL; ROSEMARY RUSSELL

v.

SHARON L. TAFFET; DAVID M.M. TAFFET, Esquire; TRACY R. WILLIAMS

TRACY R. WILLIAMS,
Appellant

_____

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. No. 2:14-cv-04552)
District Judge: Honorable Nitza I. Quiñones Alejandro

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Submitted Pursuant to Third Circuit LAR 34.1(a)
September 23, 2026

Before: CHAGARES, *Chief Judge*, HARDIMAN and FREEMAN, *Circuit Judges*

(Opinion filed: November 10, 2026)

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OPINION[*]

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PER CURIAM

[*] This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Tracy Williams appeals the District Court's order denying her motion for reconsideration. For the reasons that follow, we will affirm the District Court's order.

In 2014, Jeffrey and Rosemary Russell filed a complaint in the United States District Court for the Eastern District of Pennsylvania alleging fraud, unjust enrichment, and breach of fiduciary duty against Williams and other defendants. In June 2016, Williams filed counseled pleadings in the bankruptcy proceedings of her codefendants. She requested that the bankruptcy court dismiss an adversary proceeding with the same operative facts and allow the District Court to address the claims. The bankruptcy court dismissed the adversary action. In December 2020, the District Court in this action entered a default judgment against Williams for over 7 million dollars.

In November 2024, Williams filed a motion to set aside the judgment, alleging that she did not have notice of the District Court action until October 2024. In April 2025, the District Court denied the motion. It noted, as described above, that Williams's attorney mentioned the District Court action in a bankruptcy court pleading filed in 2016. Williams did not appeal the District Court's decision.

In October 2025, Williams filed a motion pursuant to Fed. R. Civ. P. 60(b)(4), arguing that the District Court's judgment was void because she was never served with process in this action. The District Court denied the Rule 60(b)(4) motion. It determined that the motion was untimely and that the judgment was not void. Williams then filed a motion for reconsideration. The District Court construed the motion as arising under Rule 59(e) and denied it, concluding that Williams had not shown any basis for reconsideration. Williams filed a timely notice of appeal.

We have jurisdiction under 28 U.S.C. 1291. We review the denial of a Rule 60(b)(4) motion de novo*, see Budget Blinds, Inc v. White*, 536 F.3d 244, 251 n.5 (3d Cir. 2008), and a motion for reconsideration for an abuse of discretion. *See Max's Seafood Cafe v. Quinteros*, 176 F.3d 669, 673 (3d Cir. 1999). We may affirm the District Court on any ground supported by the record. *Tourscher v. McCullough*, 184 F.3d 236, 240 (3d Cir. 1999).

Rule 60(b)(4) allows for relief from a judgment that is void. A motion pursuant to Rule 60(b)(4) must be made within a reasonable time. *See* Fed. R. Civ. P. 60(c)(1); *Coney Island Auto Parts Unlimited, Inc. v. Burton Tr. for Vista-Pro Auto., LLC*, 607 U.S. 155, 157 (2026).

In her brief, Williams argues that (1) the judgment is void because she was never served; (2) her receiving notice of the litigation in 2024 does not cure the defective service; (3) the District Court improperly relied on delay, prejudice, and equities which are irrelevant to Rule 60(b)(4); (4) the District Court ignored key evidence; and (5) fraud renders the judgment unenforceable.

We need not address whether Williams was properly served under Pa. R. Civ. P. 402(a)(2)(iii) or had notice of the District Court litigation in 2014, because she had notice of the litigation in 2016, four years before the default judgment was entered. *See Link v. Wabash R. Co.*, 370 U.S. 626, 634 (1962) (explaining that "each party is deemed bound by the acts of his lawyer-agent and is considered to have notice of all facts, notice of which can be charged upon the attorney") (internal quotation marks omitted). Because Williams was aware of the District Court litigation years before the default judgment was

entered in 2020, the Rule 60(b)(4) motion was not made within a reasonable time when it was filed in 2025.

Accordingly, we will affirm the District Court's judgment.