

CLOSED

U. S. District Court
Eastern District of Louisiana (New Orleans)
CIVIL DOCKET FOR CASE #: 2:06-cv-00489-SRD-KWR

Navarrete-Cruz et al v. LVI Environmental Services of New Orleans, Inc. et al
Assigned to: Judge Stanwood R. Duval, Jr
Referred to: Magistrate Judge Karen Wells Roby
Cause: 29:201 Denial of Overtime Compensation

Date Filed: 02/01/2006
Date Terminated: 06/14/2007
Jury Demand: Defendant
Nature of Suit: 710 Labor: Fair Standards
Jurisdiction: Federal Question

Plaintiff

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Date Filed	#	Docket Text
02/01/2006	1	COMPLAINT against LVI Environmental Services of New Orleans, Inc., & D&L Environmental, Inc. (Filing fee \$ 250.) filed by Julio Navarrete-Cruz, Sergio DeLeon, & Adrian Salazar.(caa,) (Entered: 02/02/2006)
02/01/2006	2	Summons Issued as to LVI Environmental Services of New Orleans, Inc., & D&L Environmental, Inc. (caa,) (Entered: 02/02/2006)
02/03/2006	4	MOTION to Appear Pro Hac Vice (Filing fee \$5.) by Julio Navarrete-Cruz, Sergio DeLeon, & Adrian Salazar. (caa,) (Entered: 02/16/2006)
02/03/2006	5	MOTION to Appear Pro Hac Vice (Filing fee \$5.) by Julio Navarrete-Cruz, Sergio DeLeon, & Adrian Salazar. (caa,) (Entered: 02/16/2006)
02/07/2006	6	ORDER granting 4 Motion to Appear Pro Hac Vice as to Jennifer Rosenbaum. Signed by Judge Stanwood R. Duval Jr. on 2/6/2006. (caa,) Corrected Image added on 2/16/2006 (caa,). Modified on 2/16/2006 (caa,). (Entered: 02/16/2006)
02/07/2006	7	ORDER granting 5 Motion to Appear Pro Hac Vice as to Mary C. Bauer. Signed by Judge Stanwood R. Duval Jr. on 2/6/2006. (caa,) (Entered: 02/16/2006)
02/08/2006	3	NOTICE by all plaintiffs of filing of consents to join FLSA collective action (car,) (Entered: 02/09/2006)
03/01/2006	8	ANSWER to Complaint by Defendant LVI Environmental Services of New Orleans, Inc.(caa,) (Entered: 03/02/2006)
03/02/2006	11	MOTION to Appear Pro Hac Vice (Filing fee \$10.) by LVI Environmental Services of New Orleans, Inc. (car,) (Entered: 03/14/2006)
03/07/2006	12	ORDER granting 11 Motion to Appear Pro Hac Vice as to Grace Mora, Anne Marie Estevez. . Signed by Judge Stanwood R. Duval Jr. on 3/6/06. (car,) (Entered: 03/14/2006)
03/09/2006	9	NOTICE of filing consents to join FLSA collective action by all plaintiffs. (car,) (Entered: 03/13/2006)
03/09/2006	10	SUMMONS Returned Executed; LVI Environmental Services of New Orleans,

		Inc. served on 2/10/2006, answer due 3/2/2006. (car,) (Entered: 03/13/2006)
03/29/2006	13	NOTICE of Filing Consents to Join FLSA Collective Action by Marco Antonio Cruz-Andrade, Jarbas Pereira dos Santos, Juan Enrique Hernandez, Mario Hernandez, Jose Aparecido Ramos, Jose Efrain Rodas, Divino Soares Rosa, Alejandro Sanches, Edson Henrique Santos, Maria Urbina; re 1 Complaint. (blg,) (Entered: 04/03/2006)
04/24/2006	14	NOTICE of Filing Consents to Join FLSA Collective Action by Nilson Carvalho, Fernando Coelho, Adriano Coutinho, Milton Murilo, Marcos Souto, Sebastiao Visira, Raimundo Almeida, Ivaldir Brito re 1 Complaint. (blg,) (Entered: 04/26/2006)
05/11/2006	15	Request of Summons ReIssued as to D&L Environmental, Inc. filed by all plaintiffs re 1 Complaint. (blg,) (Entered: 05/15/2006)
05/11/2006	16	Summons ReIssued as to D&L Environmental, Inc. (blg,) (Entered: 05/15/2006)
05/31/2006	17	MOTION for Leave to File <i>First Amended Complaint</i> by all plaintiffs. Motion Hearing set for 6/28/2006 09:30 AM before Judge Stanwood R. Duval Jr.. (Attachments: # 1 First Amended Complaint# 2 Proposed Order)(Rosenbaum, Jennifer) Additional attachment(s) added on 5/31/2006 (blg,). (Entered: 05/31/2006)
05/31/2006	18	ERROR: DOCKETED AS SEPARATE DOCUMENT - NOTICE of Hearing on Motion filed by all plaintiffs re 17 MOTION for Leave to File <i>First Amended Complaint</i> . Motion Hearing set for 6/28/2006 09:30 AM before Judge Stanwood R. Duval Jr. (Rosenbaum, Jennifer) Modified on 5/31/2006 (blg,). (Entered: 05/31/2006)
05/31/2006	19	NOTICE by all plaintiffs <i>Consents to Join FLSA Collective Action</i> . (Attachments: # 1 FLSA Opt-in Forms)(Rosenbaum, Jennifer) (Entered: 05/31/2006)
05/31/2006	20	ERROR: Multiple relief document filed as one relief. - MOTION to Schedule a Preliminary Conference, to Open Discovery, and to Extend Deadline for Service on Defendant D&L Environmental Inc. by all plaintiffs. Motion Hearing set for 6/28/2006 09:30 AM before Judge Stanwood R. Duval Jr.. (Attachments: # 1 Memorandum in Support # 2 Exhibit A, Memo# 3 Exhibit B, Memo# 4 Exhibit C, Memo# 5 Exhibit D, Memo# 6 Exhibit E, Memo# 7 Exhibit F, Memo# 8 Exhibit G, Memo# 9 Exhibit H, Memo# 10 Proposed Order)(Rosenbaum, Jennifer) Additional attachment(s) added on 5/31/2006 (blg,). Modified on 5/31/2006 (blg,). Modified on 6/7/2006 (blg,). (Entered: 05/31/2006)
05/31/2006	21	ERROR: DOCKETED AS SEPARATE DOCUMENT - NOTICE of Hearing on Motion filed by all plaintiffs re 20 MOTION Schedule a Preliminary Conference, Open Discovery, adn Extend Deadline to Serve Defendant D&L Environmental Inc.. Motion Hearing set for 6/28/2006 09:30 AM before Judge Stanwood R. Duval Jr. (Rosenbaum, Jennifer) Modified on 5/31/2006 (blg,). Additional attachment(s) added on 5/31/2006 (blg,). (Entered: 05/31/2006)
05/31/2006	22	Correction of Docket Entry by Clerk re 18 Notice of Hearing on Motion; Notice which was filed as a separate document, has been attached to the appropriate

		document 17 Motion for Leave to File First Amended Complaint. (blg,) (Entered: 05/31/2006)
05/31/2006	23	NOTICE by all plaintiffs re 20 MOTION to Schedule a Preliminary Conference, to Open Discovery, and to Extend Deadline for Service on Defendant D&L Environmental Inc. (Attachments: # 1 Certificate of Consultation)(Rosenbaum, Jennifer) Modified on 5/31/2006 (blg,). (Entered: 05/31/2006)
05/31/2006	24	Correction of Docket Entry by Clerk re 21 Notice of Hearing on Motion; Notice which was filed as a separate document, has been attached to the appropriate document 20 MOTION to Schedule a Preliminary Conference, to Open Discovery, and to Extend Deadline for Service on Defendant D&L Environmental Inc. (blg,) (Entered: 05/31/2006)
05/31/2006	25	NOTICE by all plaintiffs re 17 MOTION for Leave to File <i>First Amended Complaint Certificate of Consultation</i> . (Attachments: # 1 Certificate of Consultation)(Rosenbaum, Jennifer) (Entered: 05/31/2006)
05/31/2006	26	Correction of Docket Entry by Clerk re 20 MOTION Schedule a Preliminary Conference, Open Discovery, adn Extend Deadline to Serve Defendant D&L Environmental Inc; Multiple relief document filed as one relief; Document re-docketed by Clerk. (blg,) (Entered: 06/07/2006)
05/31/2006	27	MOTION to Schedule a Preliminary Conference, MOTION to Open Discovery, and MOTION to Extend Deadline for Service on Defendant D&L Environmental Inc. by all plaintiffs. Motion Hearing set for 6/28/2006 09:30 AM before Judge Stanwood R. Duval Jr. (Attachments: # 1 Memorandum in Support # 2 Exhibit A-H# 3 Proposed Order # 4 Notice of Hearing)(blg,) (Entered: 06/07/2006)
06/07/2006	28	NOTICE by all plaintiffs of <i>Service of Summons and Complaint on Defendant D&L Environmental Inc.</i> . (Attachments: # 1 Affidavit Declaration of Jennifer J. Rosenbaum, Esq.)(Rosenbaum, Jennifer) (Entered: 06/07/2006)
06/09/2006	29	ERROR: WRONG EVENT SELECTED - NOTICE by all plaintiffs re 17 MOTION for Leave to File <i>First Amended Complaint Defendants' Consent to Motion</i> . (Rosenbaum, Jennifer) Modified on 6/14/2006 (blg,). (Entered: 06/09/2006)
06/09/2006	30	ERROR: WRONG EVENT SELECTED - NOTICE by all plaintiffs re 27 MOTION for Discovery MOTION for Extension of Time to File MOTION for Extension of Time to File MOTION Schedule a Preliminary Conference MOTION Schedule a Preliminary Conference <i>Defendants' CONSENT to Motion</i> . (Rosenbaum, Jennifer) Modified on 6/14/2006 (blg,). (Entered: 06/09/2006)
06/09/2006	31	EXPARTE MOTION for Edward Tuddenham to Appear Pro Hac Vice (Filing fee \$5 paid.) by all plaintiffs. (Attachments: # 1 Affidavit # 2 Certificate of Good Standing, Texas)(Rosenbaum, Jennifer) Modified on 6/14/2006 (blg,). Additional attachment(s) added on 6/14/2006 (blg,). (Entered: 06/09/2006)
06/09/2006	32	Correction of Docket Entry by Clerk re 29 Notice NOTICE by all plaintiffs re 17 MOTION for Leave to File First Amended Complaint Defendants' Consent to Motion; Wrong event selected; Re-docketed as Motion to Withdraw Hearing.

		(blg,) (Entered: 06/14/2006)
06/09/2006	33	EXPARTE MOTION to Withdraw Hearing on 17 MOTION for Leave to File First Amended Complaint, to be decided on the papers by all plaintiffs. (Attachments: # 1 Proposed Order)(blg,) (Entered: 06/14/2006)
06/09/2006	34	Correction of Docket Entry by Clerk re 30 NOTICE by all plaintiffs re 27 MOTION for Discovery MOTION for Extension of Time to File MOTION for Extension of Time to File MOTION Schedule a Preliminary Conference MOTION Schedule a Preliminary Conference Defendants' CONSENT to Motion; Wrong event selected; Re-docketed as Motion to Withdraw Hearing. (blg,) (Entered: 06/14/2006)
06/09/2006	35	EXPARTE MOTION to Withdraw Hearing on 27 MOTION to Schedule a Preliminary Conference, MOTION to Open Discovery, and MOTION to Extend Deadline for Service on Defendant D&L Environmental Inc, to be decided on the papers by all plaintiffs. (Attachments: # 1 Proposed Order)(blg,) (Entered: 06/14/2006)
06/15/2006	36	RESPONSE to Motion filed by LVI Environemental Services of New Orleans, Inc. re 17 MOTION for Leave to File <i>First Amended Complaint</i> . (blg,) (Entered: 06/16/2006)
06/15/2006	37	RESPONSE to Motion filed by LVI Environemental Services of New Orleans, Inc. re 27 MOTION to Schedule a Preliminary Conference, MOTION to Open Discovery, and MOTION to Extend Deadline for Service on Defendant D&L Environmental Inc. (blg,) (Entered: 06/16/2006)
07/05/2006	38	ORDER granting 17 Motion for Leave to File first amd cmp and 27 Motion to Schedule a Preliminary Conference, to Open Discovery, and to Extend the Deadline for Service on D&L Environmental Inc.; finding as moot 33 Motion to Withdraw Hearing and 35 Motion to Withdraw Hearing. Signed by Judge Stanwood R. Duval Jr. (lag,) (Entered: 07/05/2006)
07/05/2006	39	AMENDED COMPLAINT adding dft AMS Staff Leasing Inc. filed by all plaintiffs.(lag,) (Entered: 07/05/2006)
07/05/2006	40	ORDER granting 31 Motion to Appear Pro Hac Vice as to Edward Tuddenham. Signed by Judge Stanwood R. Duval Jr. on 7/5/06. (blg,) (Entered: 07/06/2006)
07/05/2006	41	ANSWER to Complaint by Defendant D&L Environmental, Inc.(blg,) (Entered: 07/06/2006)
07/06/2006	42	DEFICIENT - EXPARTE/CONSENT MOTION to Withdraw Local Counsel for D &L as Attorney <i>Julie Richard Spencer</i> by D&L Environmental, Inc.. (Attachments: # 1 Proposed Order)(Richard-Spencer, Julie) Modified on 7/7/2006 (blg,). (Entered: 07/06/2006)
07/06/2006	43	Request of Summons Issued as to AMS Staff Leasing Inc. filed by all plaintiffs re 39 Amended Complaint. (blg,) (Entered: 07/07/2006)
07/06/2006	44	Summons Issued as to AMS Staff Leasing Inc. (blg,) (Entered: 07/07/2006)
07/06/2006	45	NOTICE OF DEFICIENT DOCUMENT: re 42 DEFICIENT -

		<p>EXPARTE/CONSENT MOTION to Withdraw Local Counsel for D &L as Attorney <i>Julie Richard Spencer</i> by D&L Environmental, Inc. (Attachments: # (1) Proposed Order)(Richard-Spencer, Julie) Modified on 7/7/2006 (blg,). Reason(s) of deficiency: Incorrect, illegible or incomplete document. An Exparte Motion to Appear Pro Hac Vice, Proposed Order and payment of \$5.00 must be made for Mark Berkowitz. If the motion is granted then an Exparte Motion to Withdraw Counsel and Proposed Order can be filed. For corrective information, see section(s) D01 on http://www.laed.uscourts.gov/cmecf/Deficiency/deficiency.htm Attention: Document must be refiled in its entirety within five (5) working days. Otherwise, it may be stricken by the court without further notice. Deficiency remedy due by 7/13/2006. (blg,) (Entered: 07/07/2006)</p>
07/19/2006	46	ANSWER to First Amended Complaint by Defendant LVI Environmental Services of New Orleans, Inc..(cms,) (Entered: 07/20/2006)
07/27/2006	47	NOTICE by all plaintiffs <i>Filing Consent to Join FLSA Collective Action.</i> (Attachments: # 1 Exhibit A)(Rosenbaum, Jennifer) (Entered: 07/27/2006)
07/27/2006	48	NOTICE by all plaintiffs <i>Service on Defendant AMS Staff Leasing, Inc..</i> (Attachments: # 1 Affidavit Ex. A, Affidavit of Service)(Rosenbaum, Jennifer) (Entered: 07/27/2006)
08/02/2006	49	ORDER denying 42 MOTION to Withdraw Local Counsel for D &L as Attorney <i>Julie Richard Spencer</i> filed by D&L Environmental, Inc.; Motion is Deficient; an Exparte Motion to Appear Pro Hac Vice, Proposed Order and Payment of \$5.00 must be made for Mark Berkowitz. A corporation cannot appear Pro Se. Signed by Judge Stanwood R. Duval Jr. on 8/1/06.(blg,) (Entered: 08/04/2006)
08/02/2006	51	Receipt of Pro Hac Vice Fee \$5.00 paid by Mark Berkowitz on behalf of D&L Environmental, Inc. (blg,) (Entered: 08/09/2006)
08/08/2006	50	ANSWER to Amended Complaint with Jury Demand by Defendant AMS Staff Leasing Inc.(blg,) (Entered: 08/09/2006)
08/23/2006	52	NOTICE of Change of Address by Jennifer Rosenbaum on behalf of all plaintiffs. (Rosenbaum, Jennifer) (Entered: 08/23/2006)
08/23/2006	53	EXPARTE/CONSENT MOTION to Substitute Attorney. Attorney Barry Gerharz to be substituted in place of Hector Linares by all plaintiffs. (Attachments: # 1 Proposed Order)(Rosenbaum, Jennifer) (Entered: 08/23/2006)
09/08/2006	54	Receipt of Pro Hac Vice Fee \$5.00 by Mark Berkowitz on behalf of D&L Environmental, Inc. (blg,) (Entered: 09/12/2006)
09/13/2006	55	EXPARTE/CONSENT MOTION for Mark J. Berkowitz to Appear Pro Hac Vice (Filing fee \$5.) on behalf of D&L Environmental, Inc. (Attachments: # 1 Affidavit)(blg,) (Entered: 09/18/2006)
09/13/2006	56	ORDER denying 55 Motion to Appear Pro Hac Vice as to Mark J. Berkowitz . Signed by Judge Stanwood R. Duval Jr. on 9/11/06. (blg,) (Entered: 09/18/2006)

10/03/2006	57	ORDER granting 53 Motion to Substitute Attorney. Added attorney Barry James Gerharz for plaintiffs. Attorney Hector A. Linares terminated . Signed by Judge Stanwood R. Duval Jr. on 10/3/06. (blg,) (Entered: 10/04/2006)
10/25/2006	58	EXPARTE/CONSENT Joint MOTION to Substitute Attorney. Attorney David M. Korn to be substituted in place of Julie Richard-Spencer <i>and also to enroll Kim M. Boyle and Brandon E. Davis</i> by D&L Environmental, Inc.. (Attachments: # 1 Proposed Order)(Korn, David) (Entered: 10/25/2006)
10/31/2006	59	ORDER granting 58 Motion to Substitute Attorney. Added attorney David M. Korn for D&L Environmental, Inc., Kim Maria Boyle for D&L Environmental, Inc., Brandon E. Davis for D&L Environmental, Inc. Attorney Julie Marie Richard-Spencer terminated . Signed by Judge Stanwood R. Duval Jr. on 10/30/06. (blg,) (Entered: 10/31/2006)
11/15/2006	60	EXPARTE/CONSENT MOTION for attorneys Steve Dennis and William Reid to Appear Pro Hac Vice (Filing fee \$10.00.) by AMS Staff Leasing Inc. (Attachments: # 1 Affidavit)(jtd) (Entered: 11/26/2006)
11/21/2006	61	ORDER granting 60 Motion to Appear Pro Hac Vice and designating William E. Reid as trial attorney for AMS Staff Leasing. Signed by Judge Stanwood R. Duval Jr. on 11/20/06. (jtd) (Entered: 11/26/2006)
12/20/2006	62	NOTICE by all plaintiffs of <i>Filing Consents to Join FLSA Collective Action</i> . (Attachments: # 1 Exhibit FLSA Consent Forms# 2 Certificate of Service) (Rosenbaum, Jennifer) (Entered: 12/20/2006)
12/22/2006	63	MOTION for Summary Judgment by AMS Staff Leasing Inc. Motion Hearing set for 1/10/2007 09:30 AM before Judge Stanwood R. Duval Jr.. (Attachments: # 1 Memorandum in Support # 2 Exhibit # 3 Statement of Contested/Uncontested Facts # 4 Exhibit # 5 Notice of Hearing)(ala,) (Entered: 12/27/2006)
01/03/2007	64	AMENDED NOTICE of Hearing on Motion filed by AMS Staff Leasing Inc. re 63 MOTION for Summary Judgment which was previously set for hearing on 1/10/07 9:30am. Motion Hearing is now set for 2/7/2007 09:30 AM before Judge Stanwood R. Duval Jr.(jtd) (Entered: 01/05/2007)
01/23/2007	65	EXPARTE/CONSENT MOTION for Extension of Time to File Response/Reply as to 63 MOTION for Summary Judgment <i>Pursuant to LR 7.9E</i> by Julio Navarrete-Cruz. (Attachments: # 1 Proposed Order)(Rosenbaum, Jennifer) (Entered: 01/23/2007)
01/24/2007	66	ORDER granting 65 Motion for Extension of Time to File Response/Reply. Signed by Judge Stanwood R. Duval Jr. on 1/24/07. (blg) (Entered: 01/25/2007)
02/15/2007	67	STIPULATION of Dismissal with prejudice of <i>individual opt-in plaintiff Elci Gomes de Andrade</i> by all plaintiffs. (Rosenbaum, Jennifer) (Entered: 02/15/2007)
02/16/2007	68	EXPARTE/CONSENT MOTION for Extension of Deadlines by Julio Navarrete-Cruz. (Attachments: # 1 Proposed Order # 2 certificate of service) (Rosenbaum, Jennifer) (Entered: 02/16/2007)

03/06/2007	69	ORDER granting 68 Motion for Extension of Deadlines. The hearing on AMS Staff Leasing Inc.'s Motion for Summary Judgment (Doc. 63), scheduled for 3/7/07, is continued without date. Signed by Judge Stanwood R. Duval Jr. on 3/6/07. (blg) (Entered: 03/07/2007)
03/21/2007	70	NOTICE by all plaintiffs <i>Filing Consents to Join FLSA Collective Action</i> . (Attachments: # 1 Ex. A, FLSA Opt-in Forms)(Rosenbaum, Jennifer) (Entered: 03/21/2007)
03/30/2007	71	NOTICE: Scheduling Conference set for 5/9/2007 02:40 PM before courtroom deputy by telephone, by Clerk.(cak,) (Entered: 03/30/2007)
04/19/2007	72	NOTICE by all plaintiffs <i>of Filing Consents to Join FLSA Collective Action</i> . (Attachments: # 1 Exhibit FLSA Consent Forms)(Rosenbaum, Jennifer) (Entered: 04/19/2007)
05/02/2007	73	STIPULATION of Dismissal With prejudice by all parties. (Attachments: # 1 Proposed Order)(McCalla, Robert) (Entered: 05/02/2007)
05/29/2007	74	ORDERED that the preliminary pre-trial conference by telephone set for 5/9/07, is hereby MOOT. Signed by Judge Stanwood R. Duval Jr. on 5/29/07.(blg) (Entered: 05/29/2007)
05/29/2007	75	EXPARTE/CONSENT MOTION to Seal Document by Nilson Carvalho, Fernando Coelho, Adriano Coutinho, Milton Murilo, Marcos Souto, Sebastiao Visira, Wilson Aguilera, Adelizio Rodrigues Brito, Santos Gonzalez, Santiago Lopez, Miguel Marquez-Garcia, Mario Mendez, Eva Reyes-Nunez, Marcio Rodrigues, Robson da Silva Santos, Rafael Ramirez, Alejandro Vazquez, Jose Raudales, AMS Staff Leasing Inc., Julio Navarrete-Cruz, Gomez Elci de Andrade, Francisco Javier Acosta, Jr, Franco Oliveira, Jose Hector Garcia, Jose Leal, Juliano Queiros, Ricardo Lima, Rodolfo De Araujo, Saul Amador, Simone Souza Silva, Suedna Stefanon, Weberth Souza, Daniel Linhares, Daniel Sousa, Angel Paguada, Manuel Lopes, Anileidy Morales, Alberto Alen, Beethoven Guimaraes, Walter Flores, Marco Antonio Cruz-Andrade, Sergio DeLeon, Jarbas Pereira dos Santos, Juan Enrique Hernandez, Mario Hernandez, Jose Aparecido Ramos, Jose Efrain Rodas, Adrian Salazar, Divino Soares Rosa, Alejandro Sanches, Edson Henrique Santos, Maria Urbina, LVI Environmental Services of New Orleans, Inc., Raimundo Almeida, Ivaldir Brito, D&L Environmental, Inc.. (Attachments: # 1 Proposed Order)(McCalla, Robert) (Entered: 05/29/2007)
05/30/2007	76	ORDER granting 75 Motion to Seal Document. Signed by Judge Stanwood R. Duval Jr. on 5/30/07. (blg) (Entered: 05/30/2007)
06/14/2007	77	SEALED DOCUMENT - Order of Dismissal with Prejudice (blg) (Entered: 06/14/2007)

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