

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Leslie Ramirez v. Exclusive Management Solution Group, Inc., et al.

Ramirez · No. 24-CV-01786 (MMG) · Decided December 2, 2025

SUMMARY

The Southern District of New York denied defendants’ motions to dismiss Leslie Ramirez’s claims under the Fair Labor Standards Act, New York labor laws, and 27 U.S.C. § 7434. The court held that Ramirez adequately alleged interstate commerce, a single integrated enterprise, unpaid overtime, standing for wage-notice and wage-statement claims, and a willfully fraudulent information return. The opinion addresses motions under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Margaret M. Garnett
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	December 2, 2025
DOCKET	24-CV-01786 (MMG)
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to dismiss the amended complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and filed a supplemental motion to dismiss. The court denied the motions.
STANDARD OF REVIEW	On a Rule 12(b)(1) motion, the plaintiff bears the burden of alleging facts demonstrating standing; at the pleading stage, general factual allegations of injury are accepted as true and construed in the plaintiff's favor, although conclusory assertions need not be accepted. On a Rule 12(b)(6) motion, the court accepts well-pleaded facts as true, draws reasonable inferences for the plaintiff, and asks whether the complaint states a facially plausible claim. The court generally considers the complaint, attached exhibits, and incorporated documents, while permitting consideration of extrinsic evidence under Rule 12(b)(1) when jurisdictional facts are disputed.
PRECEDENTIAL VALUE	Unknown

TOPICS

flsa wage and hour motions to dismiss standing tax

PRACTICE AREAS

employment law wage and hour civil procedure tax

QUESTIONS PRESENTED

1. Whether the amended complaint adequately alleged that defendants were engaged in interstate commerce and met the FLSA enterprise revenue threshold.
2. Whether the amended complaint adequately alleged that the defendants constituted a single integrated enterprise and could be treated as joint employers under the FLSA.
3. Whether the amended complaint plausibly alleged unpaid FLSA overtime wages.
4. Whether Ramirez alleged concrete injuries sufficient to establish Article III standing for claims concerning New York wage notices and wage statements.
5. Whether the amended complaint stated a claim under 27 U.S.C. § 7434, as cited in the opinion, based on an allegedly fraudulent Form 1099 that omitted cash payments.

HOLDINGS

1. The amended complaint adequately alleged that defendants engaged in interstate commerce and satisfied the FLSA's \$500,000 annual gross-volume requirement.
2. The amended complaint adequately alleged that the defendants and twenty-eight laundromats operated as a single integrated enterprise.
3. The amended complaint plausibly alleged that Ramirez worked more than forty hours in particular workweeks and was not paid all required overtime wages.
4. Ramirez adequately alleged concrete injuries flowing from the alleged wage-notice and wage-statement violations and therefore had Article III standing.
5. The amended complaint stated a claim based on the allegation that defendants willfully filed a Form 1099 that omitted cash compensation paid to Ramirez.

KEY QUOTATIONS

“To state a plausible FLSA overtime claim, a plaintiff must sufficiently allege 40 hours of work in a given workweek as well as some uncompensated time in excess of” (at 10)

“Regardless, Plaintiff’s first two theories of injury suffice on their own to establish standing.” (at 12)

FACTUAL BACKGROUND

Ramirez worked for the defendants' laundromat businesses from approximately July 2021 through May 14, 2023, performing manual work at two laundromats and additional back-office work from home. She alleged that she regularly worked more than forty hours per week, including at least thirty additional minutes after shifts,

without compensation for all of that time, and identified three pay periods in which recorded hours exceeded forty. She also alleged that the defendants operated twenty-eight affiliated laundromats as a single enterprise, failed to provide an initial wage notice, issued inaccurate wage statements, and filed a Form 1099 that omitted cash compensation.

PROCEDURAL HISTORY

Ramirez filed the action on March 8, 2024, asserting claims under the Fair Labor Standards Act, New York labor laws, and 27 U.S.C. § 7434 as cited in the opinion. Defendants moved to dismiss; Ramirez then filed a first amended complaint, after which defendants filed a supplemental motion. The court treated the first amended complaint as operative and denied both motions.

DISPOSITION

other

CASES CITED

- *Operadora Kau-Kan v. Prodigy Network, LLC*, 20-CV-02770 (ALC), 2021 WL 4482212, at *2-*3 (S.D.N.Y. Sept. 30, 2021)
- *Kant v. Columbia Univ.*, No. 08-CV-07476 (PGG), 2010 WL 807442, at *7-*8 (S.D.N.Y. Mar. 9, 2010)
- *Warth v. Seldin*, 422 U.S. 498, 501, 517-18 (1975)
- *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 561 (1992)
- *Connecticut Parents Union v. Russell-Tucker*, 8 F.4th 167, 172 (2d Cir. 2021)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 558, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Koch v. Christie's Int'l PLC*, 699 F.3d 141, 145 (2d Cir. 2012)
- *A.I. Trade Fin., Inc. v. Petra Bank*, 989 F.2d 76, 79-80 (2d Cir. 1993)
- *Whiteside v. Hover-Davis, Inc.*, 995 F.3d 315, 321 (2d Cir. 2021)
- *Goel v. Bunge, Ltd.*, 820 F.3d 554, 559 (2d Cir. 2016)
- *United States ex rel. Foreman v. AECOM*, 19 F.4th 85, 106 (2d Cir. 2021)
- *Harty v. W. Point Realty, Inc.*, 28 F.4th 435, 441 (2d Cir. 2022)
- *Arcuelo v. On-Site Sales & Marketing, LLC*, 425 F.3d 193, 198 (2d Cir. 2005)
- *Griffin v. Sirva, Inc.*, 835 F.3d 283, 292 (2d Cir. 2016)
- *Juarez v. 449 Rest., Inc.*, 29 F. Supp. 3d 363, 367 (S.D.N.Y. 2014)
- *Bravo v. Established Burger One, LLC*, No. 12-CV-09044 (CM), 2013 WL 5549495, at *8 (S.D.N.Y. Oct. 8, 2013)
- *Bai v. Sunwoo Trade Inc.*, No. 20-CV-09588, 2022 WL 4357867, at *5 (S.D.N.Y. Sept. 20, 2022)
- *Pinheiro v. Interior Mogul LLC*, No. 22-CV-09856 (JHR) (RWL), 2024 WL 4716346, at *3 (S.D.N.Y. Aug. 28, 2024)
- *Keawsri v. Ramen-Ya Inc.*, No. 17-CV-02406, 2022 WL 3152572, at *3 (S.D.N.Y. Aug. 8, 2022)

- Lundy v. Catholic Health System of Long Island Inc., 711 F.3d 106, 114 (2d Cir. 2013)
- Dejesus v. HF Mgmt. Servs., LLC, 726 F.3d 85, 90 (2d Cir. 2013)
- Spokeo, Inc. v. Robbins, 578 U.S. 330, 338 (2016)
- TransUnion LLC v. Ramirez, 594 U.S. 413, 426 (2021)
- Guthrie v. Rainbow Fencing Inc., 113 F.4th 300, 305 (2d Cir. 2024)
- Francisco v. Exclusive Mgmt. Grp. Inc., 24-CV-03928 (AT) (RWL), 2025 WL 1982943, at *11 (S.D.N.Y. July 7, 2025)
- Chen v. Lilis 200 W. 57th Corp., No. 19-CV-07654, 2023 WL 2388728, at *6-*8 (S.D.N.Y. July 11, 2022)
- Rosario v. Fresh Smoothies LLC, No. 20-CV-05831, 2021 WL 5847633, at *6 (S.D.N.Y. Dec. 9, 2021)
- Munn v. APF Mgmt. Co., No. 19-CV-10791, 2020 WL 7264471, at *4 (S.D.N.Y. Dec. 10, 2020)

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