

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MICHIGAN

Feliciano Velasco Rojas v. First Pick Farms LLC

Velasco Rojas · No. 1:23-cv-604 · Decided January 2, 2026

SUMMARY

The United States District Court for the Western District of Michigan considers two motions to dismiss claims brought under the Trafficking Victims Protection Reauthorization Act and the Migrant and Seasonal Agricultural Worker Protection Act. The court rejects the defendants’ group-pleading challenge but declines to impose alter-ego liability on the corporate defendants. The court also analyzes beneficiary liability under the TVPRA, including participation in a venture and knowing receipt of a financial benefit.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan
WRITING FOR THE COURT	Paul L. Maloney
JURISDICTION	United States District Court for the Western District of Michigan
DECIDED	January 2, 2026
DOCKET	1:23-cv-604
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs brought claims under the Trafficking Victims Protection Reauthorization Act and the Migrant and Seasonal Agricultural Worker Protection Act. Defendants moved to dismiss the Second Amended Complaint under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, construes reasonable inferences in the plaintiff's favor, disregards unsupported legal conclusions, and asks whether the complaint states a claim for relief that is plausible on its face.
PRECEDENTIAL VALUE	unpublished district court opinion

TOPICS

- motions to dismiss
- pleadings
- civil procedure
- employment law
- immigration

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether plaintiffs' collective allegations concerning multiple corporate defendants constituted impermissible shotgun or group pleading under Federal Rule of Civil Procedure 8(a)(2).
2. Whether Grow Blue Farms Hourly and Grow Blue Farms Salary could be held liable for earlier alleged violations under an alter-ego theory.
3. Whether the remaining defendants could be treated as alter egos of one another under Michigan law.
4. Whether plaintiffs adequately pleaded direct or indirect beneficiary liability under the TVPRA, including participation in a venture, knowing benefit, and knowledge or constructive knowledge of violations.
5. Whether plaintiffs adequately pleaded perpetrator liability under 18 U.S.C. §§ 1589(a), 1589(b), 1590(a), and 1594(a).
6. Whether plaintiffs' H-2A status excluded them from the AWPAs definition of migrant agricultural worker.
7. Whether plaintiffs adequately pleaded that defendants were joint employers under the AWPAs and FLSA economic-reality principles.

HOLDINGS

1. The Second Amended Complaint's use of a collective designation for the corporate defendants did not warrant dismissal because the complaint alleged both enterprise-wide conduct and facts specific to the plaintiffs' employment relationships with the defendants.
2. Grow Blue Farms Hourly and Grow Blue Farms Salary could not be held liable as alter egos of the other defendants and were not independently liable for the 2017 statutory violations because they were created years after those violations.
3. Plaintiffs failed to plead sufficient facts to treat First Pick Farms, First Pick Farms Management, HB Hive and Company, and Grow Blue Farms as alter egos of one another.
4. Plaintiffs adequately pleaded direct beneficiary liability against the remaining defendants by alleging that the defendants participated in the blueberry-farm venture, knowingly benefited from the labor, and should have known of the venture's TVPRA violations.
5. Plaintiffs adequately pleaded that the remaining defendants could be liable for Sanchez's acts, omissions, and state of mind through single-employer and principal-agent theories.
6. Plaintiffs failed to plead direct perpetrator liability under §§ 1589(a), 1589(b), and 1590(a), but adequately pleaded an attempted violation under § 1594(a) based on allegations that defendants moved plaintiffs to Michigan, provided housing, and attempted to obtain their labor.
7. Plaintiffs adequately pleaded that the AWPAs applied to them because their allegations that they left their North Carolina employment for more than five days supported an inference that their H-2A status had been abandoned or expired.

8. Plaintiffs adequately pleaded that the remaining defendants were their joint employers under the AWPA.

KEY QUOTATIONS

“A motion to dismiss “is a test of the plaintiff’s cause of action as stated in the complaint, not a challenge to the plaintiff’s factual allegations.””

“To survive the motion, the plaintiff’s complaint must allege “enough facts to state a claim to relief that is plausible on its face.””

“There is no general rule against group pleading.”

FACTUAL BACKGROUND

Plaintiffs entered the United States from Mexico in 2017 under H-2A-related employment arrangements, but were moved from North Carolina to Michigan after threats that immigration authorities would be contacted if they complained. In Michigan, they worked long hours picking blueberries, lived with approximately thirty workers in crowded and allegedly substandard housing, were charged rent and transportation fees, and used false identities supplied through the alleged labor-recruitment system. Plaintiffs alleged that the defendant companies operated the blueberry business, controlled aspects of their work and housing, employed or supervised the recruiter and supervisor Antonio Sanchez, and benefited from their labor.

PROCEDURAL HISTORY

Plaintiffs sued six corporate defendants in June 2023 based on alleged forced labor, trafficking, and agricultural-employment violations arising from their 2017 blueberry-farm work. After plaintiffs filed a Second Amended Complaint, defendants filed two Rule 12(b)(6) motions. The court granted the motions in part and denied them in part, dismissing all claims against Grow Blue Farms Hourly and Grow Blue Farms Salary and dismissing the TVPRA § 1589(b) claims against the remaining defendants, while allowing other claims to proceed.

DISPOSITION

other

CASES CITED

- 404 F.3d 950, 958-59 (6th Cir. 2005)
- 550 U.S. 544, 570 (2007)
- 556 U.S. 662, 678 (2009)
- 951 F.3d 386, 392-93 (6th Cir. 2020)
- 681 F. Supp. 3d 803, 823 (S.D. Ohio 2023)
- 728 F. Supp. 3d 624, 640-41 (E.D. Mich. 2024)
- 910 F.2d 331, 335-38 (6th Cir. 1990)
- 873 N.W.2d 794, 803, 806 (Mich. App. 2015)
- 537 N.W.2d 221, 224 (Mich. 1995)

- 21 F.4th 714, 724-26, 556-59 (11th Cir. 2021)
- 76 F.4th 544, 553-59, 564 (7th Cir. 2023)
- 425 F. Supp. 3d 961, 968-72 (E.D. Pa. 2019)
- 489 F. Supp. 3d 697, 704-05 (E.D. Mich. 2020)
- 31 F.4th 1139, 1156 (9th Cir. 2022)
- 65 F.4th 806, 811 (6th Cir. 2023)
- 853 F.3d 553, 556 (1st Cir. 2017)
- 615 F.2d 272, 275 (5th Cir. 1980)
- 942 F.2d 962, 965 (6th Cir. 1991)
- 689 F.3d 549, 555 (6th Cir. 2012)
- 915 F.3d 1050, 1055-60 (6th Cir. 2019)
- 781 F.3d 799, 807-15 (6th Cir. 2015)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-western-district-of-mic/2026/feliciano-velasco-rojas-v-first-pick-farms-llc-a93rx300>