

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Carolina Vasconcelos, et al. v. Sparkle Window Pros Inc., et al.

Vasconcelos · No. 1:25-cv-732 · Decided March 20, 2026

SUMMARY

The United States District Court for the Western District of Michigan denied without prejudice Plaintiffs’ motion for default judgment in an employment lawsuit involving alleged unpaid wages and retaliation under the FLSA and Michigan’s IWOWA. The court found deficiencies in the allegations concerning interstate commerce, protected activity, causation, and damages, including unsupported damages calculations.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Hala Y. Jarbou
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	March 20, 2026
DOCKET	1:25-cv-732
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for default judgment under Federal Rule of Civil Procedure 55(b)(2) after the Clerk entered default against both defendants.
STANDARD OF REVIEW	The court applied the discretionary standard under Federal Rule of Civil Procedure 55(b)(2), considering the merits and sufficiency of the claims, prejudice, the amount at stake, disputed facts, excusable neglect, and the preference for decisions on the merits. Factual allegations were accepted as true except those concerning damages, which had to be proved with reasonable certainty.
PRECEDENTIAL VALUE	district court opinion; precedential status not specified
PARTIES	Carolina Vasconcelos, Patricia Vasconcelos, Tristan Abel Perez, Sheila Salazar Vasconcelos v. Sparkle Windows Pro, Inc., Sam Rodriguez

TOPICS

default judgment flsa wage and hour retaliation remedies

PRACTICE AREAS

employment law wage and hour civil procedure remedies

QUESTIONS PRESENTED

1. Whether plaintiffs sufficiently alleged FLSA and IWOWA minimum-wage claims to support default judgment.
2. Whether the allegations that defendants paid wages late stated an actionable FLSA minimum-wage claim.
3. Whether plaintiffs sufficiently established damages for the alleged unpaid wages.
4. Whether plaintiffs sufficiently alleged protected conduct and causation for an FLSA retaliation claim.
5. Whether default judgment should be entered under Federal Rule of Civil Procedure 55(b)(2).

HOLDINGS

1. The plaintiffs did not sufficiently allege FLSA minimum-wage claims because they failed to plead facts establishing a connection to interstate commerce. Even assuming the commerce requirement was satisfied, their allegations concerning late payment did not establish that the payments were untimely under the FLSA.
2. Carolina, Patricia, and Sheila sufficiently stated IWOWA claims for unpaid minimum wages, but Tristan did not because he alleged that he had been paid for his one week of work and did not allege that he was paid less than the applicable minimum wage.
3. The plaintiffs who stated IWOWA unpaid-wage claims did not adequately establish their damages because their spreadsheets were unauthenticated and unsupported by proper affidavits or declarations. Their recoverable damages are limited to the statutory minimum wages, not their regular promised hourly rates, together with any statutory liquidated damages.
4. The plaintiffs did not sufficiently allege FLSA retaliation because they did not provide enough detail to show that they engaged in protected conduct or that their terminations were caused by such conduct.
5. Default judgment was denied without prejudice because the plaintiffs had not sufficiently established their FLSA claims, retaliation claim, or damages for the adequately pleaded IWOWA claims.

KEY QUOTATIONS

“Default judgment on a particular claim can stand only if there was a sufficient basis in the pleadings for the judgment entered.” (III.A)

“Not every grumble or ‘expression[] of concern or discomfort or frustration’ by an employee constitutes an FLSA complaint.” (III.B)

“Thus, the Court will deny the motion for default judgment without prejudice.” (IV)

FACTUAL BACKGROUND

Plaintiffs worked for defendants cleaning a bar and washing a parking garage from March 1 through May 31, 2024. Carolina, Patricia, and Sheila allegedly worked about 15 hours per week and were not paid for their final three weeks; Tristan allegedly worked 35 to 40 hours per week, although his affidavit stated that he worked only one week at \$20 per hour and was partially compensated. Plaintiffs also alleged that defendants paid wages late and terminated them after they repeatedly raised concerns about unpaid wages.

PROCEDURAL HISTORY

Plaintiffs filed an employment action asserting minimum-wage claims under the FLSA and Michigan's IWOWA and retaliation under the FLSA. Defendants failed to respond, and the Clerk entered default on September 26, 2025. The court denied plaintiffs' motion for default judgment without prejudice because the pleadings did not adequately establish the FLSA claims or retaliation claim, and the plaintiffs who stated IWOWA claims did not adequately prove their damages.

DISPOSITION

other

CASES CITED

- AF Holdings LLC v. Bossard, 976 F. Supp. 2d 927, 929 (W.D. Mich. 2013)
- Russell v. City of Farmington Hills, 34 F. App'x 196, 198 (6th Cir. 2002)
- New London Tobacco Mkt., Inc. v. Ky. Fuel Corp., 44 F.4th 393, 403, 410 (6th Cir. 2022)
- Vesligaj v. Peterson, 331 F. App'x 351, 355 (6th Cir. 2009)
- Antoine v. Atlas Turner, Inc., 66 F.3d 105, 110 (6th Cir. 1995)
- Herman v. Fabri-Centers of Am., Inc., 308 F.3d 580, 590–91 (6th Cir. 2002)
- Athan v. U.S. Steel, 364 F. Supp. 3d 748, 753 (E.D. Mich. 2019)
- Brooklyn Savs. Bank v. O'Neil, 324 U.S. 697, 707 (1945)
- Young v. Fam. Matters Learning Ctr., LLC, No. 1:25-CV-262, 2026 WL 89560, at *4 (S.D. Ohio Jan. 13, 2026)
- Kasten v. Saint-Gobain Performance Plastics Corp., 563 U.S. 1, 4 (2011)
- Rogers v. Webstaurant Store, Inc., 774 F. App'x 278, 280–81 (6th Cir. 2019)
- Robinson v. Wal-Mart Stores, Inc., 341 F. Supp. 2d 759, 763 (W.D. Mich. 2004)
- Lee v. Vanderbilt Univ., No. 22-5607, 2023 WL 4188341, at *3 (6th Cir. June 22, 2023)
- Keys v. Humana, 684 F.3d 605, 610 (6th Cir. 2012)
- Mickey v. Zeidler Tool & Die Co., 516 F.3d 516, 523–25 (6th Cir. 2008)

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