

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
ARKANSAS**

Brian Lloyd v. Salon Xtensions LLC

Lloyd · No. 4:25-cv-921-DPM · Decided February 24, 2026

SUMMARY

The United States District Court for the Eastern District of Arkansas grants, as modified, Brian Lloyd's renewed motion for default judgment against Salon Xtensions LLC. The court finds that service was adequate and that the unanswered allegations establish violations of the Fair Labor Standards Act and Arkansas Minimum Wage Act, as well as a promissory estoppel claim. The court sets an evidentiary hearing on damages for May 20, 2026, and orders Lloyd to serve the order and file proof of service.

OPINION

IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION BRIAN LLOYD PLAINTIFF v. No. 4:25-cv-921-DPM SALON
XTENSIONS LLC DEFENDANT ORDER 1. Lloyd used to work for Salon Xtensions as a salesperson. He sold hair extensions. Lloyd was let go. He has sued Salon for violating the Fair Labor Standards Act and the Arkansas Minimum Wage Act, plus breaking a contract.

He moves, for a second time, for a default judgment against Salon. 2. Lloyd's motion, Doc. 13, is granted as modified. First, he cured the service issues. Lloyd's process server served the summons and the complaint on Sarah Winters, a registered agent in Florida for Salon. Doc. 10. This satisfies the applicable Rules. Fed. R. Civ. P. 4(h); Fla. Stat. Ann. §§ 48.021, 48.062, & 48.21.

Second, Salon has conceded the pleaded liability facts by not responding. A review of the complaint's many exhibits shows that Salon controlled when, where, and how Lloyd sold the hair extensions that were the company's core business.

The company also set prices. He therefore acted as an employee, not an independent contractor. *Walsh v. Alpha & Omega USA, Inc.*, 39 F.4th 1078, 1082 (8th Cir. 2022). The amount Salon paid Lloyd (approximately \$173.06 per week) is too little to classify him as an exempt employee. Doc. 1 at 431; 29 C.F.R. § 541.600. Salon's failure to pay minimum wage and overtime is a FLSA violation; and its failure to keep accurate records violates both FLSA and AMWA.

Doc. 1 at J§ 11-13 & 18; 29 U.S.C. §§ 206(a), 207(a), & 211(c); Ark. Code. Ann. § 11-4-217. Lloyd also has a solid promissory estoppel claim—Salon didn't follow through on its end of the

employment bargain (a commission agreement) that it made with him. Doc. 1 at 8-13; *Tilley v. Malvern National Bank*, 2025 Ark. 29, at 12, 709 S.W.3d 31, 41. 3.

The Court will hold an evidentiary hearing on damages at 1:30 p.m. on Wednesday 20 May 2026 in courtroom 1A of the Richard Sheppard Arnold United States Courthouse in Little Rock. *Everyday Learning Corp. v. Larson*, 242 F.3d 815, 818 (8th Cir. 2001). Lloyd must serve this Order on Salon by approved process server, and file proof of service, as soon as practicable.

Notice of service due by 30 March 2026. So Ordered. D.P. Marshall Jr. United States District Judge 24 February 2026 ~2-