

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Goins v. Wolverine Fuels, LLC

Goins · No. 2:25-cv-00767-RJS-DBP · Decided February 12, 2026

SUMMARY

The United States District Court for the District of Utah denied Wolverine Fuels, LLC's motion to consolidate Jones v. Wolverine Fuels and Goins v. Wolverine Fuels under Federal Rule of Civil Procedure 42(a). The court concluded that coordinated discovery and case management would promote judicial economy without requiring consolidation. The court ordered the parties to submit a joint case management order and reassigned the Goins matter to Magistrate Judge Jared C. Bennett.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Robert J. Shelby
JURISDICTION	United States District Court for the District of Utah
DECIDED	February 12, 2026
DOCKET	2:25-cv-00767-RJS-DBP
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 42(a) and DUCivR 42-1 to consolidate the Goins FLSA collective action with the earlier-filed Jones action. The Goins plaintiffs opposed consolidation, while the Jones plaintiffs did not oppose it.
STANDARD OF REVIEW	Whether to consolidate actions under Federal Rule of Civil Procedure 42(a) is committed to the district court's discretion, and the party seeking consolidation bears the burden of establishing that consolidation is appropriate.
PRECEDENTIAL VALUE	Unknown; memorandum decision and order from a federal district court with no reporter citation identified.
PARTIES	Wolverine Fuels, LLC v. Timothy Goins, individually and for others similarly situated

TOPICS

civil procedure

flsa

employment law

PRACTICE AREAS

civil procedure

employment law

Fair Labor Standards Act

QUESTIONS PRESENTED

1. Whether the Goins and Jones actions should be consolidated under Federal Rule of Civil Procedure 42(a) and DUCivR 42-1.
2. Whether coordinated discovery and case management could adequately serve judicial economy without formally consolidating the actions.

HOLDINGS

1. The court denied Wolverine's motion to consolidate because, although the actions involved substantially overlapping plaintiffs and similar factual and legal questions, formal consolidation was unnecessary.
2. The parties were ordered to coordinate discovery and submit a stipulated joint case management order in both actions within fourteen days.

KEY QUOTATIONS

“Whether consolidation under Rule 42(a) is appropriate is within the discretion of the district court.” (Legal Standard)

“But the court finds these policies are sufficiently served by coordinating discovery and case management across the two cases. Consolidation is not necessary.” (Analysis)

FACTUAL BACKGROUND

Wolverine Fuels employed Jones as an outby worker from approximately May 2018 to June 2022 and Goins as a beltman from approximately August 2024 to November 2024. Both alleged that Wolverine's pre- and post-shift off-the-clock policy failed to compensate workers for time spent donning and doffing protective gear. Both actions sought to proceed as FLSA collective actions involving substantially overlapping Wolverine employees.

PROCEDURAL HISTORY

Timothy Goins filed an FLSA collective-action complaint against Wolverine Fuels, LLC. Wolverine later moved to consolidate the Goins action into the earlier-filed Jones action because the cases involved similar parties, alleged employment practices, potential opt-in plaintiffs, witnesses, discovery, and legal and factual questions. The court denied consolidation but ordered coordinated case management and reassigned the Goins action to Magistrate Judge Jared C. Bennett.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. The parties must meet and confer and submit a stipulated joint case management order in both actions within fourteen days. If they cannot agree, they may file competing orders, after which the court will issue a single identical order in both cases. The Clerk was directed to reassign the Goins action to Magistrate Judge Jared C. Bennett.

CASES CITED

- Shump v. Balka, 574 F.2d 1341, 1344 (10th Cir. 1978)
- Phillip M. Adams & Assocs., LLC v. Dell Inc., No. 1:05-cv-64 TS, 2008 WL 203316, at *2 (D. Utah Jan. 23, 2008)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH TONY JONES and JEFFERSON MANNING, individually and on behalf of all MEMORANDUM DECISION AND others similarly situated, ORDER DENYING MOTION TO CONSOLIDATE Plaintiffs, 2:25-cv-00345-RJS-JCB v. District Judge Robert J. Shelby WOLVERINE FUELS, LLC, Magistrate Judge Jared C. Bennett Defendant. TIMOTHY GOINS, individually and for others similarly situated, MEMORANDUM DECISION AND ORDER DENYING MOTION TO Plaintiffs, CONSOLIDATE v. 2:25-cv-00767-RJS-DBP WOLVERINE FUELS, LLC, District Judge Robert J. Shelby Defendant.

Magistrate Judge Dustin B. Pead Before the court is Defendant Wolverine Fuels, LLC's Motion to Consolidate.¹ Pursuant to Federal Rule of Civil Procedure 42(a) and DUCivR 42-1, Wolverine moves to consolidate into Jones v. Wolverine Fuels, Case No. 2:25-cv-00345-RJS-JCB (Jones), a later-filed case between similar parties—Goins v. Wolverine Fuels, Case No. 2:25-cv-00767-RJS-DBP (Goins).

The Goins Plaintiffs oppose the Motion.² For the reasons explained below, the Motion to Consolidate is DENIED. 1 Jones Action, Dkt. 29, Motion to Consolidate. 2 Goins Action, Dkt. 25, Goins' Opposition to Motion to Consolidate.

The Jones plaintiffs do not oppose the Motion. See Motion to Consolidate at 1. BACKGROUND Wolverine is a coal company that employs workers to mine and process coal.³ Wolverine employed Jones as an Outby Worker from approximately May 2018 to June 2022.⁴ Wolverine employed Goins as a beltman from approximately August 2024 to November 2024.⁵ Jones and Goings were both subjected to Wolverine's pre/post shift off-the-clock policy, which allegedly failed to compensate workers for time spent donning and doffing protective gear.⁶ On May 2, 2025, Jones filed his Complaint against Wolverine.⁷ On October 6, 2025, Jones filed the operative Amended Complaint, alleging Wolverine violated the Fair Labor Standards Act (FLSA) and the Utah Payment of Wages Act (UPWA).⁸ On September 5, 2025, Goins filed his Complaint, alleging Wolverine violated the FLSA.⁹ Both cases seek to bring a FLSA collective action on behalf of other Wolverine employees.¹⁰ On December 11, 2025, Wolverine filed its Motion seeking to

consolidate the two matters.¹¹ Goins filed a timely Opposition to the Motion,¹² and Wolverine filed a timely Reply in support of the Motion.¹³ Jones did not oppose the Motion.¹⁴ The Motion is ripe for review.

3 Jones Action, Dkt. 23, Amended Complaint (Jones Complaint) ¶¶ 32, 34; see also Goins Action, Dkt. 1, Complaint (Goins Complaint) ¶¶ 25–30. 4 Jones Complaint ¶¶ 25–27. 5 Goins Complaint ¶ 11. 6 Jones Complaint ¶¶ 5–6; Goins Complaint ¶ 37. 7 Jones Action, Dkt. 1, Complaint. 8 Jones Complaint ¶¶ 140–156. 9 Goins Complaint. 10 Jones Complaint ¶¶ 92–120; Goins Complaint ¶¶ 48–75.

11 Motion to Consolidate. 12 Goins’ Opposition to Motion to Consolidate. 13 Jones Action, Dkt. 34, Reply in Support of Motion to Consolidate. 14 See Motion to Consolidate at 1; see generally Docket. LEGAL STANDARD Federal Rule of Civil Procedure 42(a) allows a court to consolidate actions “involving a common question of law or fact[.]”¹⁵ Under local rule DUCivR 42-1, a “party may file a motion... to consolidate two or more cases before a single judge if the party believes that such cases or matters: arise from substantially the same transaction or event; involve substantially the same parties or property; involve the same patent, trademark, or copyright; call for determination of substantially the same questions of law; or for any other reason that would entail substantial duplication of labor or unnecessary court costs or delay if heard by different judges.”¹⁶ Whether consolidation under Rule 42(a) is appropriate is within the discretion of the district court.¹⁷ The party seeking consolidation bears the burden of establishing it is appropriate.¹⁸ ANALYSIS Wolverine argues consolidation serves judicial economy and reduces unnecessary costs because the two actions involve “the same employment practices, name the same sole defendant, and purport to cover the same potential opt-in plaintiffs.”¹⁹ Wolverine further argues the parties will “engage in identical discovery, depose the same witnesses, and gather the same evidence to prove their claims and defenses.”²⁰ Goins does not disagree with Wolverine’s assertions but rather argues consolidations impedes on Goins’s right to choose his partners in litigation and 15 Fed.

R. Civ. P. 42(a). 16 DUCivR 42-1. 17 See *Shump v. Balka*, 574 F.2d 1341, 1344 (10th Cir. 1978) (citation omitted). 18 *Phillip M. Adams & Assocs., LLC v. Dell Inc.*, No. 1:05-cv-64 TS, 2008 WL 203316, at *2 (D. Utah Jan. 23, 2008) (citing *Shump*, 574 F.2d at 1344). 19 Motion to Consolidate at 2. 20 *Id.* counsel and right to consent to any collective action.²¹ Goins appears to be amenable to coordination, but not a “full merger” of the two matters.²² In Reply, Wolverine admits that “at bottom” it wants what Goins seems to agree to: “identical scheduling orders, coordinating discovery, consolidating the cases for pre-trial purposes, and conducting a joint trial.”²³ Judicial economy will be served by coordinated discovery.

There is no dispute that the proposed collective actions will cover substantially the same plaintiffs and involve similar questions of fact and law about Wolverine’s donning and doffing policy.

Parties will need to depose the same witnesses and find similar evidence to prove their claims and defenses. But the court finds these policies are sufficiently served by coordinating discovery and case management across the two cases.

Consolidation is not necessary. CONCLUSION For the foregoing reasons, the Motion to Consolidate is DENIED.²⁴ The parties are ORDERED to meet and confer and submit a stipulated joint case management order in both the Jones action and the Goins action within 14 days. If parties cannot agree on a stipulated case management order, parties may file competing orders in their respective cases, and the court will issue a single, identical order in both actions.

The Clerk of Court is DIRECTED to reassign Goins v. Wolverine Fuels, Case No. 2:25- cv-00767-RJS-DBP to Magistrate Judge Jared C. Bennett to ensure consistency and to promote judicial efficiency. ²¹ Opposition to Motion to Consolidate at 2, 5. ²² Id. at 2; see also id. at 4–5, 6. ²³ Reply in Support of Motion to Consolidate at 3 (citing Opposition to Motion to Consolidate at 4).

²⁴ Jones Action, Dkt. 29. SO ORDERED this 12th day of February 2026. BY THE COURT:
ROBERT 7 = United States District Judge