

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Larry Dowdy v. WRD Global LLC, American Business Consultants LLC, and Douglas Harding

No. CV-25-00990-PHX-DJH (D. Ariz. Mar. 25, 2026) · No. 2:25-cv-00990 · Decided March 25, 2026

SUMMARY

The United States District Court for the District of Arizona grants in part and denies in part Larry Dowdy’s motion for default judgment against WRD Global LLC, American Business Consultants LLC, and Douglas Harding. The court finds that Dowdy sufficiently stated claims for unpaid wages and overtime under the FLSA, AMWA, and AWA, but concludes that Harding is not individually liable under the AWA. Judgment is entered for \$16,480.00 against WRD and ABC, with Harding jointly and severally liable for \$10,300.00, plus post-judgment interest.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Diane J. Humetewa
JURISDICTION	United States District Court for the District of Arizona
DECIDED	March 25, 2026
DOCKET	2:25-cv-00990
DISPOSITION	other
PROCEDURAL POSTURE	Motion for Entry of Default Judgment against defendants WRD Global LLC, American Business Consultants LLC, and Douglas Harding
STANDARD OF REVIEW	Discretionary under Eitel v. McCool seven-factor test
PRECEDENTIAL VALUE	unpublished

TOPICS

- default judgment
- wage and hour
- flsa
- civil procedure
- damages

PRACTICE AREAS

- employment law
- civil procedure
- remedies

QUESTIONS PRESENTED

1. Whether default judgment should be entered against defendants under the Eitel factors
2. Whether plaintiff stated plausible claims for unpaid overtime and minimum wages under the FLSA
3. Whether plaintiff stated a plausible claim for unpaid minimum wages under the AMWA
4. Whether plaintiff stated a plausible claim for unpaid wages under the AWA, including against defendant Harding individually
5. What damages plaintiff is entitled to recover

HOLDINGS

1. Default judgment is appropriate because six of the seven Eitel factors favor entry of default judgment against defendants.
2. Plaintiff sufficiently stated claims for unpaid minimum and overtime wages under the FLSA by alleging employee status, FLSA coverage, and failure to pay wages for four workweeks.
3. Plaintiff sufficiently stated a claim under the AMWA by alleging he was not paid the applicable Arizona minimum wage of \$14.70 per hour for approximately four workweeks.
4. Plaintiff stated a plausible AWA claim against WRD and ABC but not against Douglas Harding individually, because the AWA's narrow definition of 'employer' does not authorize individual liability against owners, officers, and directors of a corporate employer for wholesale failure to pay wages.
5. Plaintiff is entitled to \$16,480.00 in total damages: \$15,000.00 in trebled unpaid wages under the AWA and \$1,480.00 in doubled liquidated overtime damages under the FLSA, plus post-judgment interest at 4.08% per annum. Harding is jointly and severally liable for \$10,300.00 of that sum.

KEY QUOTATIONS

“When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default.” (at 3)

“This statutory definition does not, in other words, authorize individual liability against the owners, officers, and directors of a corporate employer in a case where the claim is for the employer's wholesale failure to pay wages.” (at 7-8)

“Double damages are the norm, and single damages are the exception.” (at 10)

FACTUAL BACKGROUND

Plaintiff Larry Dowdy worked for WRD Global LLC as a wholesale distributor from approximately December 16, 2024, through January 27, 2025. He was to be compensated at a semimonthly rate of approximately \$2,500 regardless of hours worked. Defendants paid him only \$2,500 via Zelle deposits during his employment. Plaintiff worked approximately 48 to 50 hours per workweek for six workweeks but was not paid for four of those workweeks and never received overtime compensation. He left employment due to nonpayment.

PROCEDURAL HISTORY

Plaintiff filed a Verified Complaint on March 25, 2025, alleging unpaid wage claims under the FLSA, AMWA, and AWA. Defendants were served on March 28, 2025, but failed to appear or respond. The Clerk entered default against defendants on May 30, 2025. Plaintiff then filed a Motion for Default Judgment (Doc. 16).

DISPOSITION

other

CASES CITED

- Eitel v. McCool, 782 F.2d 1470 (9th Cir. 1986)
- Geddes v. United Fin. Grp., 559 F.2d 557 (9th Cir. 1977)
- Aldabe v. Aldabe, 616 F.2d 1089 (9th Cir. 1980)
- Fair Hous. of Marin v. Combs, 285 F.3d 899 (9th Cir. 2002)
- Cripps v. Life Ins. Co. of N. Am., 980 F.2d 1261 (9th Cir. 1992)
- PepsiCo, Inc. v. Cal. Sec. Cans, 238 F. Supp. 2d 1172 (C.D. Cal. 2002)
- Shanghai Automation Instrument Co. v. Kuei, 194 F. Supp. 2d 995 (N.D. Cal. 2001)
- Vietnam Reform Party v. Viet Tan - Vietnam Reform Party, 416 F. Supp. 3d 948 (N.D. Cal. 2019)
- Smith v. Nov. Bar N Grill LLC, 441 F. Supp. 3d 830 (D. Ariz. 2020)
- Avila v. JBL Cleaning Servs. LLC, 2024 WL 863710 (D. Ariz. Feb. 29, 2024)
- Boucher v. Shaw, 572 F.3d 1087 (9th Cir. 2009)
- Chao v. A-One Med. Servs., Inc., 346 F.3d 908 (9th Cir. 2003)
- Heck v. Heavenly Couture, Inc., 2017 WL 4476999 (S.D. Cal. Oct. 6, 2017)
- Alvarez v. IBP, Inc., 339 F.3d 894 (9th Cir. 2003)
- Coe v. Hirsch, 2021 WL 5634798 (D. Ariz. Dec. 1, 2021)
- Rosen v. Fasttrak Foods LLC, 2021 WL 2981590 (D. Ariz. July 15, 2021)
- Gemmel v. Systemhouse, Inc., 2008 WL 65604 (D. Ariz. Jan. 3, 2008)
- G & G Closed Cir. Events LLC v. Espinoza, 2020 WL 377095 (D. Ariz. Jan. 23, 2020)
- Wong v. White Rock Phlebotomy, LLC, 2024 WL 897002 (D. Ariz. Feb. 13, 2024)
- Philip Morris USA, Inc. v. Castworld Prod., Inc., 219 F.R.D. 494 (C.D. Cal. 2003)
- Davis v. Fendler, 650 F.2d 1154 (9th Cir. 1981)
- Yelp Inc. v. Catron, 70 F. Supp. 3d 1082 (N.D. Cal. 2014)
- Wecosign, Inc. v. IFG Holdings, Inc., 845 F. Supp. 2d 1072 (C.D. Cal. 2012)
- Brock v. Seto, 790 F.2d 1446 (9th Cir. 1986)
- Anderson v. Mt. Clemens Pottery Co., 328 U.S. 680 (1946)
- Bhular v. Asteri Gp. Home LLC, 2024 WL 1160721 (D. Ariz. Feb. 29, 2024)
- Hetland v. Hirsch, 2022 WL 657354 (D. Ariz. Mar. 4, 2022)
- Cramton v. Grabbagreen Franchising LLC, 2022 WL 1719687 (D. Ariz. May 27, 2022)
- Xalamihua v. GGC Legacy Janitorial Servs. LLC, 2024 WL 942101 (D. Ariz. Mar. 5, 2024)

- Barrons v. Smallwood, 2024 WL 5056412 (D. Ariz. Dec. 10, 2024)

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