

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Shiro Little v. Service Convenience, Inc., et al.

Little · No. 2:25-cv-44 · Decided December 22, 2025

SUMMARY

The United States District Court for the Southern District of Ohio grants Synergistic International LLC’s motion to dismiss claims arising from alleged untimely and missing wage payments. The Court holds that the First Amended Complaint contains only conclusory allegations that Synergistic was a joint employer under the FLSA and Ohio wage laws. The claims against Synergistic are dismissed without prejudice, with leave to seek amendment within 21 days.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Eastern Division
WRITING FOR THE COURT	Edmund A. Sargus, Jr.
JURISDICTION	United States District Court for the Southern District of Ohio, Eastern Division
DECIDED	December 22, 2025
DOCKET	2:25-cv-44
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant Synergistic International LLC moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the claims against it for failure to plausibly allege that it was the plaintiff's joint employer. The district court granted the motion and dismissed the claims against Synergistic without prejudice.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true but does not accept legal conclusions couched as factual allegations. The complaint must contain sufficient factual matter to state a claim that is plausible on its face.
PRECEDENTIAL VALUE	Unknown
PARTIES	Shiro Little v. Service Convenience, Inc., Synergistic International LLC, et al.

TOPICS

flsa wage and hour motions to dismiss employment law civil procedure

PRACTICE AREAS

employment law wage and hour civil procedure remedies

QUESTIONS PRESENTED

1. Whether the First Amended Complaint plausibly alleged that Synergistic International LLC was Little's joint employer under the Fair Labor Standards Act.
2. Whether the conclusory allegations of joint employment were sufficient to state claims against Synergistic under Ohio wage laws.
3. Whether dismissal of the claims against Synergistic should be with prejudice.

HOLDINGS

1. The First Amended Complaint failed to state a plausible FLSA claim against Synergistic because it merely recited joint-employer factors without alleging specific facts showing that Synergistic exercised control over Little's employment.
2. The Ohio wage-law claims against Synergistic were inadequately pleaded because Ohio wage-law claims are governed by the same joint-employer pleading standards applied to the FLSA claims.
3. The claims against Synergistic were dismissed without prejudice, and Little was permitted to seek leave to file a second amended complaint limited to attempting to establish Synergistic's joint-employer status.

KEY QUOTATIONS

“To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’”

“Ms. Little’s allegations at current are insufficient to plead a joint employment relationship and overcome Synergistic’s motion to dismiss.”

“Rather than dismiss the claims against Synergistic with prejudice, however, the Court DISMISSES them WITHOUT PREJUDICE.”

FACTUAL BACKGROUND

Shiro Little worked for Glass Doctor, a purported franchisee of Synergistic International LLC, as an inside sales associate for approximately fourteen months. She alleged that Glass Doctor paid her late at least twenty-six times and failed to pay her at least once, despite maintaining a weekly payroll schedule and communicating repeated payroll problems. Little alleged that Glass Doctor's owner or president, Matthew Kelly, was ultimately responsible for payroll and accepted responsibility for the payment issues. She alleged that she was constructively discharged and asserted wage claims against Glass Doctor and Synergistic, contending that Synergistic was liable as a joint employer.

PROCEDURAL HISTORY

Little filed an amended complaint alleging that delayed and missing wage payments violated the Fair Labor Standards Act, the Ohio Constitution, the Ohio Wage Act, and the Ohio Prompt Pay Act. Synergistic, alleged to be the franchisor of Little's employer, moved to dismiss all claims against it. The court concluded that the amended complaint contained only conclusory allegations of joint employment and dismissed the claims without prejudice, allowing Little 21 days to seek leave to amend.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 556-57, 570 (2007)
- Dole v. Elliott Travel & Tours, Inc., 942 F.2d 962, 965 (6th Cir. 1991)
- McLaughlin v. Seafood, Inc., 867 F.2d 875, 877 (5th Cir. 1989)
- M.J. by & through S.J. v. Akron City School District Board of Education, 1 F.4th 436, 446 n.4 (6th Cir. 2021)
- Ellington v. City of East Cleveland, 689 F.3d 549, 555 (6th Cir. 2012)
- Solis v. Laurelbrook Sanitarium & School, Inc., 642 F.3d 518, 522 (6th Cir. 2011)
- Keeton v. Time Warner Cable, Inc., No. 2:09-CV-1085, 2011 WL 2618926, at *3 (S.D. Ohio July 1, 2011)
- International Longshoremens's Association, AFL-CIO, Local Union No. 1937 v. Norfolk Southern Corp., 927 F.2d 900, 902 (6th Cir. 1991)
- Montanez v. Voss Industries, LLC, No. 1:18CV1378, 2019 WL 2330511, at *5 (N.D. Ohio May 31, 2019)
- Sanford v. Main Street Baptist Church Manor, Inc., 327 F. App'x 587, 594 (6th Cir. 2009)
- Holmer v. Alcove Ventures, LLC, No. 1:23-CV-747, 2024 WL 4350906, at *11 (N.D. Ohio September 30, 2024)
- Perkins v. American Spotting Co. of Ohio, Inc., No. 2:18-cv-54, 2018 WL 7358598, at *3-4 (S.D. Ohio December 13, 2018)
- Heard v. Nielson, No. 1:16-cv-1002, 2017 WL 2426683, at *2 (S.D. Ohio June 2, 2017)