

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Joseph E. Martin v. Armstrong Transfer & Storage Co.,
Inc./Armstrong Relocation Company

Martin · No. 26-CV-00030-GKF-CDL · Decided May 7, 2026

SUMMARY

The court denied Armstrong Transfer & Storage Co., Inc.’s motion to dismiss Joseph E. Martin’s Fair Labor Standards Act overtime claim. The court held that the complaint did not establish an FLSA exemption on its face and plausibly alleged that Martin worked more than 40 hours per week without receiving required overtime compensation.

CASE DETAILS

COURT	United States District Court for the Northern District of Oklahoma
JURISDICTION	United States District Court for the Northern District of Oklahoma
DECIDED	May 7, 2026
DOCKET	26-CV-00030-GKF-CDL
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss plaintiff's FLSA overtime complaint.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, disregards legal conclusions, and determines whether the remaining allegations plausibly support an entitlement to relief.
PRECEDENTIAL VALUE	Unknown
PARTIES	Joseph E. Martin v. Armstrong Transfer & Storage Co., Inc./Armstrong Relocation Company

TOPICS

- flsa
- motions to dismiss
- wage and hour
- pleadings
- civil procedure

PRACTICE AREAS

- employment law
- wage and hour
- civil procedure

QUESTIONS PRESENTED

1. Whether the complaint could be dismissed at the pleading stage based on Armstrong's assertion that Martin was a salaried, exempt employee.
2. Whether Martin plausibly alleged a claim for unpaid overtime under the FLSA without identifying specific workweeks, dates, or numbers of overtime hours.

HOLDINGS

1. Dismissal based on Martin's alleged salaried, exempt status was improper because FLSA statutory exemptions are affirmative defenses borne by the employer, and the complaint did not admit all elements of an exemption.
2. Martin plausibly stated an FLSA overtime claim by alleging that he worked more than forty hours per week, was not paid overtime or time-and-a-half for those hours, worked for an employer engaged in commerce, and was owed approximately \$70,000; the complaint was not required to identify particular workweeks, dates, or exact overtime hours.

KEY QUOTATIONS

“Statutory exemptions from the FLSA are affirmative defenses and the employer bears the burden of establishing entitlement.”

“Thus, Mr. Martin has alleged sufficient facts to nudge his FLSA claim from conceivable to plausible, although barely.”

FACTUAL BACKGROUND

Martin alleged that he worked for Armstrong in its warehouse from 2022 through January 12, 2026. He alleged that he worked numerous hours in excess of forty per week without being paid overtime or time-and-a-half compensation and estimated that he was owed approximately \$70,000. The complaint also alleged that Armstrong was engaged in commerce within the meaning of the FLSA.

PROCEDURAL HISTORY

Joseph E. Martin filed an action alleging that Armstrong failed to pay him overtime compensation for hours worked in excess of forty per week. Armstrong moved to dismiss, arguing that Martin was a salaried exempt employee and that the complaint did not plausibly allege an FLSA violation. The district court denied the motion.

DISPOSITION

dismissed

CASES CITED

- *Brokers’ Choice of Am., Inc. v. NBC Universal, Inc.*, 861 F.3d 1081, 1104 (10th Cir. 2017)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555, 570 (2007)

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Estate of Lockett ex rel. Lockett v. Fallin, 841 F.3d 1098, 1107 (10th Cir. 2016)
- Waller v. City & Cnty. of Denver, 932 F.3d 1277, 1282 (10th Cir. 2019)
- Khalik v. United Air Lines, 671 F.3d 1188, 1191 (10th Cir. 2012)
- Lane v. Simon, 495 F.3d 1182, 1186 (10th Cir. 2007)
- Forest Guardians v. Forsgren, 478 F.3d 1149, 1160 (10th Cir. 2007)
- Scalia v. Paragon Contractors Corp., 957 F.3d 1156, 1165 (10th Cir. 2020)
- Fernandez v. Clean House, LLC, 883 F.3d 1296, 1299 (10th Cir. 2018)
- Kenney v. Helix TCS, Inc., 284 F. Supp. 3d 1186, 1190 (D. Colo. 2018), affirmed, 939 F.3d 1106 (10th Cir. 2019)
- Luna Vanegas v. Signet Builders, Inc., 46 F.4th 636, 645 (7th Cir. 2022)
- ElHelbawy v. Pritzker, 663 F. App'x 658 (10th Cir. 2016)
- Florece v. Jose Pepper's Rests., LLC, No. 20-CV-02339-TC-ADM, 2021 WL 722822, at *4 (D. Kan. Feb. 24, 2021)
- Guereca v. Cordero, 487 F. Supp. 3d 1138, 1154-55 (D.N.M. 2020)
- Gandy v. RWLS, LLC, 308 F. Supp. 3d 1220, 1223, 1225 (D.N.M. 2018)
- Knutson v. Sec. Nat'l Mortg. Co., No. 25-CV-00119-JNP-CMR, 2025 WL 3268469, at **3-4 (D. Utah Nov. 24, 2025)
- Davis v. Steward Energy II, LLC, No. 20-CIV-966-KG-JHR, 2021 WL 1946406, at **2-3 (D.N.M. May 14, 2021)
- Cooper v. Coil Chem, LLC, No. CIV-16-473-D, 2016 WL 7168235, at **2-3 (W.D. Okla. Dec. 8, 2016)