

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Daquasia Wright, Erika Thomas, and Cherie Poole, on behalf of themselves and others v. SkyWest Airlines, Inc.

Wright v. SkyWest Airlines · No. 22 CV 914 (EK) (CLP) · Decided December 30, 2025

SUMMARY

The United States District Court for the Eastern District of New York addresses plaintiffs’ motion for conditional certification of an FLSA collective action concerning alleged unpaid minimum wages during SkyWest Airlines’ flight-attendant training program. The court finds that plaintiffs made the modest factual showing required for conditional certification but declines to decide the parties’ personal-jurisdiction dispute because the Second Circuit was considering whether Bristol-Myers principles apply to FLSA collective actions. The motion for conditional certification is denied without prejudice, with leave to renew after further guidance from the Second Circuit.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Cheryl L. Pollak
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	December 30, 2025
DOCKET	22 CV 914 (EK) (CLP)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for conditional certification of an FLSA collective action concerning alleged failure to pay minimum wages for flight-attendant training. The motion was referred to the magistrate judge. Defendant opposed certification, arguing, among other things, that the court lacked personal jurisdiction over potential opt-in plaintiffs' claims.
STANDARD OF REVIEW	At the first step of FLSA collective-action certification, plaintiffs must make a modest factual showing that they and other employees were victims of a common policy or plan that violated the law; courts generally do not resolve factual disputes or make credibility determinations at that stage.

PRECEDENTIAL VALUE	unpublished district-court order; persuasive value only
PARTIES	Daquasia Wright, Erika Thomas, Cherie Poole v. SkyWest Airlines, Inc.

TOPICS

flsa class actions personal jurisdiction employment law civil procedure

PRACTICE AREAS

employment law wage and hour civil procedure

QUESTIONS PRESENTED

1. Whether plaintiffs made the modest factual showing required for conditional certification of an FLSA collective consisting of current and former SkyWest flight attendants who underwent the training program.
2. Whether the court should decide conditional certification while the Second Circuit was considering whether Bristol-Myers Squibb's personal-jurisdiction requirements apply to FLSA collective actions and potential opt-in plaintiffs.
3. Whether defendant's personal-jurisdiction defense had been waived by failure to raise it earlier in the litigation.

HOLDINGS

1. Plaintiffs made the required modest factual showing that they and other SkyWest flight-attendant trainees were subject to a common policy or plan that allegedly violated the FLSA's minimum-wage requirements.
2. The court denied plaintiffs' motion for conditional certification without prejudice because the Second Circuit was considering whether Bristol-Myers Squibb's personal-jurisdiction principles apply to FLSA collective actions, making the governing law in the circuit unclear.

KEY QUOTATIONS

“to be ‘similarly situated’ means that named plaintiffs and opt-in plaintiffs . . . share a similar issue of law or fact material to the disposition of their FLSA claims.” (Discussion § I)

“In conclusion, the Court denies plaintiffs’ motion for certification of an FLSA collective action without prejudice to renew.” (Conclusion)

FACTUAL BACKGROUND

Plaintiffs alleged that SkyWest required flight-attendant trainees to complete a thirty-day training program involving more than 350 hours of work, while paying them for only approximately 64 hours. They claimed the resulting effective wage was approximately \$3 per hour and that SkyWest failed to pay the federal minimum

wage. Plaintiffs also alleged that the training program was conducted under a common policy at a facility in Salt Lake City, Utah, with substantially uniform hours, training, testing, and days off.

PROCEDURAL HISTORY

Plaintiffs filed the action on February 18, 2022, asserting FLSA minimum-wage and overtime claims and New York Labor Law claims. The district court dismissed the FLSA overtime claims on March 21, 2025, and later dismissed the wage-statement claims on June 6, 2025. Plaintiffs then moved for conditional certification of a collective limited to flight attendants who underwent SkyWest's training program. The court found that plaintiffs made the modest factual showing ordinarily required for conditional certification but denied the motion without prejudice because the Second Circuit was considering whether Bristol-Myers Squibb's personal-jurisdiction principles apply to FLSA collective actions.

DISPOSITION

other

CASES CITED

- Guzman v. Three Amigos SJL Inc., 117 F. Supp. 3d 516, 522 (S.D.N.Y. 2015)
- Reich v. New York City Transit Authority, 45 F.3d 646, 648-49 (2d Cir. 1995)
- Aboah v. Fairfield Healthcare Services, Inc., No. 20 CV 763, 2021 WL 6337748, at *5 (D. Conn. Jan. 12, 2021)
- Scott v. Chipotle Mexican Grill, Inc., 954 F.3d 502, 515-16 (2d Cir. 2020)
- Patton v. Thomson Corp., 364 F. Supp. 2d 263, 266 (E.D.N.Y. 2005)
- Myers v. Hertz Corp., 624 F.3d 537, 542, 544-45, 555-56 & n.10 (2d Cir. 2010)
- Ahmed v. T.J. Maxx Corp., 103 F. Supp. 3d 343, 346-47 (E.D.N.Y. 2015)
- Valerio v. RNC Industries, LLC, 314 F.R.D. 61, 65-66 (E.D.N.Y. 2016)
- Marichal v. Attending Home Care Services, LLC, 432 F. Supp. 3d 271, 277-78 (E.D.N.Y. 2020)
- Douglas v. Allied Universal Security Services, 371 F. Supp. 3d 78, 85 (E.D.N.Y. 2019)
- Hoffmann-La Roche Inc. v. Sperling, 493 U.S. 165, 171-74 (1989)
- Glatt v. Fox Searchlight Pictures, Inc., 811 F.3d 528, 538, 540 (2d Cir. 2016)
- Larouque v. Domino's Pizza, LLC, 557 F. Supp. 2d 346, 354 (E.D.N.Y. 2008)
- Iglesias-Mendoza v. La Belle Farm, Inc., 239 F.R.D. 363, 367 (S.D.N.Y. 2007)
- Puglisi v. TD Bank, N.A., 998 F. Supp. 2d 95, 100 (E.D.N.Y. 2014)
- Kalloo v. Unlimited Mechanical Co. of NY, Inc., 908 F. Supp. 2d 344, 346 (E.D.N.Y. 2012)
- Otico v. Hawaiian Airlines, Inc., 229 F. Supp. 3d 1047, 1051 (N.D. Cal. 2017)
- Ulrich v. Alaska Airlines, Inc., No. C07-1215RSM, 2009 WL 364056, at *7 (W.D. Wash. Feb. 9, 2009)
- Velarde v. GW GJ, Inc., Velarde v. GW GJ, Inc., 914 F.3d 779, 785 (2d Cir. 2019)
- Bristol-Myers Squibb Co. v. Superior Court of California, San Francisco County, 582 U.S. 255, 262 (2017)
- Pettenato v. Beacon Health Options, Inc., 425 F. Supp. 3d 264, 273 (S.D.N.Y. 2019)

- *Harrington v. Cracker Barrel Old Country Store, Inc.*, 142 F.4th 678, 687 (9th Cir. 2025)
- *Vanegas v. Signet Builders, Inc.*, 113 F.4th 718, 724 (7th Cir. 2024)
- *Fischer v. FedEx Express Corp.*, 42 F.4th 366, 370 (3d Cir. 2022)
- *Canaday v. Anthem Companies, Inc.*, 9 F.4th 392, 397 (6th Cir. 2021)
- *Vallone v. CJS Solutions Group, LLC*, 9 F.4th 861, 865 (8th Cir. 2021)
- *Waters v. Day & Zimmermann NPS, Inc.*, 23 F.4th 84, 97 (1st Cir. 2022)
- *American Association of Naturopathic Physicians v. Hayhurst*, 227 F.3d 1104, 1106 (9th Cir. 2000)
- *City of New York v. Mickalis Pawn Shop, LLC*, 645 F.3d 114, 134 (2d Cir. 2011)
- *Kurtz v. RegionalCare Hospital Partners, Inc.*, No. 19 CV 5049, 2021 WL 6246619, at *3 (E.D. Wash. Sept. 9, 2021)
- *Mason v. Lumber Liquidators, Inc.*, No. 17 CV 4780, 2019 WL 2088609, at *6 (E.D.N.Y. May 13, 2019)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-eastern-district-of-new/2025/daquasia-wright-erika-thomas-and-cherie-poole-on-behalf-of-zzunj61s>