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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Juan Alfaro Ortiz, et al.,

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CV 12-2576-PHX-PGR

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Plaintiffs,

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ORDER

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v.

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Rocky Mountain Mushroom LLC, et al.,

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Defendants.

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Before the Court is Plaintiffs’ Motion to Transfer for Convenience. (Doc. 18.)

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Plaintiffs are farm workers from Yuma County, Arizona. Defendant is Wyoming corporation with its principal place of business in Wyoming.

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On November 30, 2012, the Plaintiffs filed a Complaint, alleging a claim under the Agricultural Workers Protection Act, the Fair Labor Standards Act, Wyoming wage law, and for common law breach of contract. (Doc. 1.) According to Plaintiffs, an agent of Defendant placed a telephone call to Plaintiff Ortiz in Arizona, recruiting him to work for Defendant. Plaintiffs then traveled to Wyoming where they allege Defendant violated the oral promises made concerning the conditions of employment.

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On February 2, 2013, Defendants moved to dismiss all claims pursuant to Rule 12(b)(2) and (3) of the Federal Rules of Civil Procedure, alleging lack of personal jurisdiction. (Doc. 10.) Plaintiffs’ filed a response in opposition, contending that specific personal jurisdiction exists and asserting, among other arguments, that they “cannot afford to pursue this litigation in Wyoming.” (Doc. 12 at 7.) On July, 2013, the Court held oral argument on the motion to dismiss.

1 The pending motion to transfer, filed after oral argument, indicates that “Plaintiffs
2 have now expressed their ability to try this matter in Wyoming.” (Doc. 18 at 1.) Plaintiffs
3 also argue that transfer to Wyoming would serve “the interests of justice.” (*Id.* at 2.)
4 Accordingly, they ask the Court to transfer the matter to the District of Wyoming under
5 28 U.S.C. 1404(a).

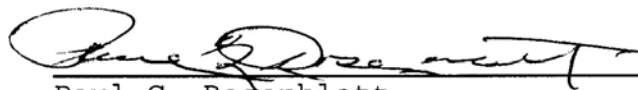
6 Section 1404(a) provides that, “For the convenience of the parties and witnesses, in
7 the interest of justice, a district court may transfer any civil action to any other district or
8 division where it might have been brought.” The Court agrees with the parties that
9 convenience and the interests of justice dictate transfer to the District of Wyoming, where
10 the operative facts of the case occurred.

11 Accordingly,

12 IT IS HEREBY ORDERED granting Plaintiffs’ motion to transfer. (Doc. 18.) The
13 Clerk of the Court is instructed to transfer this case to the District Court for the District of
14 Wyoming.

15 IT IS FURTHER ORDERED denying as moot Defendants’ motion to dismiss.
16 (Doc. 10.)

17 DATED this 8th day of July, 2013.

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20 Paul G. Rosenblatt
21 United States District Judge
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