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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KENNETH WILLIS,)	Case No.: 1:15-cv-000688 - JLT
)	
Plaintiff,)	ORDER DENYING PLAINTIFF’S REQUEST
)	FOR ENTRY OF JUDGMENT
v.)	
)	(Doc. 72)
ENTERPRISE DRILLING FLUIDS, INC., et al.,)	
)	
Defendants.)	
)	

On August 26, 2016, the Court determined DrilTek was not plaintiff’s joint employer. (Doc. 65) A few days later, the plaintiff filed his notice of appeal despite that the Court had not entered judgment. (Doc. 67) After being informed by DrilTek’s counsel of the lack of a judgment, the plaintiff filed an application requesting the Court enter judgment. (Doc. 72) DrilTek opposes the request. (Doc. 78) Because the Court finds there are just reasons to delay entering judgment, the Court **DENIES** the plaintiff’s application.

I. Background

Mr. Willis was employed, indisputably, by Enterprise Drilling Fluids to act as a “mud engineer”—as known as a “mud man.” His work occurred on at least one drilling site where DrilTek contracted with the well owner (the well “operator”) to conduct drilling activities. DrilTek provided the “Well Site Coordinator,” who was commonly referred to as the “Company Man,” and who had supervisory authority over the entire drilling operation.

1 While acting as the mud man, Mr. Willis was required to collect samples from the “mud tank”
2 for testing. The results of these tests determined what and whether drilling fluids should be added to
3 the drilling operation. Mr. Willis alleges he was obligated to work for many days in a row at the drill
4 site and to sleep in a trailer Enterprise provided at the site. He asserts that he was required to provide
5 mud sampling and testing at regular intervals but could also be required to do this work at any time
6 because the drilling operation ran around the clock. He claims he was fully relieved of duty only when
7 the replacement mud man arrived and took Willis’ place on the site during which Mr. Willis had days
8 or weeks off.

9 Based upon the Company Man’s role at the drilling site, Mr. Willis claims in this litigation that
10 Enterprise *and* DrilTek were his joint employers. Thus, he asserts that they both committed wage and
11 hour violations, including failure to properly pay overtime and failure to provide rest and meal breaks,
12 for example, based upon the exact same conduct. As noted above, the Court found that DrilTek
13 demonstrated that it was not Willis’ joint employer and Willis failed to demonstrate that there existed a
14 genuine dispute of material fact on this topic.

15 **I. Rule 54(b) certification**

16 Federal Rules of Civil Procedure 54(b) provides,

17 When an action presents more than one claim for relief . . . or when multiple parties are
18 involved, the court may direct entry of a final judgment as to one or more, but fewer
19 than all, . . . or parties only if the court expressly determines that there is no just reason
20 for delay. Otherwise, any order or other decision, however designated, that adjudicates
21 fewer than all the claims or the rights and liabilities of fewer than all the parties does not
22 end the action as to any of the claims or parties and may be revised at any time before
23 the entry of a judgment adjudicating all the claims and all the parties' rights and
24 liabilities.

25 Plaintiff’s application for entry of judgment reads,

26 Plaintiff would like to appeal the decision in favor of DrilTek, Inc., and believes there is
27 no just reason for delay, and therefore requests that Judgment be entered in accordance
28 with the Court’s ruling in favor of DrilTek, Inc. so that Plaintiff can appeal said
judgment. A copy of the proposed judgment is being lodged herewith.

(Doc 72) Thus, Plaintiff offers no explanation as to why he believes “there is no just reason for delay.”
However, DrilTek argues there are just reasons to delay.

DrilTek argues that allowing the case to proceed against Enterprise “could render Willis’ claims

