

APPEAL, CLASS\_ACTION, CLOSED, DECLINE\_MJ, JHM,

**U.S. District Court**  
**Western District of Wisconsin (Madison)**  
**CIVIL DOCKET FOR CASE #: 3:21-cv-00054-jdp**

Luna Vanegas, Jose v. Signet Builders, Inc.  
Assigned to: District Judge James D. Peterson  
Referred to: Magistrate Judge Stephen L. Crocker  
Cause: 29:206 Collect Unpaid Wages

Date Filed: 01/26/2021  
Date Terminated: 08/12/2021  
Jury Demand: None  
Nature of Suit: 710 Labor: Fair Standards  
Jurisdiction: Federal Question

**Plaintiff**

**Jose Ageo Luna Vanegas**  
*on behalf of himself and all others*  
*similarly situated*

represented by **Erica Lynn Sweitzer-Beckman**  
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V.

**Defendant****Signet Builders, Inc.**

represented by **Edward N. Boehm , Jr.**  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/26/2021	<a href="#"><u>1</u></a>	COMPLAINT against Signet Builders, Inc.. ( Filing fee \$ 402 receipt number 0758-2817353.), filed by Jose Ageo Luna Vanegas. (Attachments: # <a href="#"><u>1</u></a> JS-44 Civil Cover Sheet, # <a href="#"><u>2</u></a> Summons, # <a href="#"><u>3</u></a> Exhibit Plaintiff Consent Form) (Zimmermann, Jennifer) (Entered: 01/26/2021)
01/27/2021		Case randomly assigned to Magistrate Judge Stephen L. Crocker. (jls) (Entered: 01/27/2021)
01/27/2021		Standard attachments for Magistrate Judge Stephen L. Crocker required to be served on all parties with summons or waiver of service: <a href="#">Corporate Disclosure Statement</a> , <a href="#">Order Regarding Assignment of Cases</a> , <a href="#">Notice of Assignment to a Magistrate Judge and Consent/Request for Reassignment</a> , <a href="#">Order on Dispositive Motions</a> . (jls) (Entered: 01/27/2021)
01/27/2021	<a href="#"><u>2</u></a>	Summons Issued as to Signet Builders, Inc. (jls) (Entered: 01/27/2021)
02/03/2021	<a href="#"><u>3</u></a>	Request for Issuance of Summons by Plaintiff Jose Ageo Luna Vanegas. (Zimmermann, Jennifer) (Entered: 02/03/2021)
02/03/2021	<a href="#"><u>4</u></a>	Summons Issued as to Signet Builders, Inc. (jls) (Entered: 02/03/2021)
02/04/2021	<a href="#"><u>5</u></a>	Notice of Appearance filed by Erica Lynn Sweitzer-Beckman for Plaintiff Jose Ageo Luna Vanegas. (Sweitzer-Beckman, Erica) (Entered: 02/04/2021)

02/11/2021	<a href="#">6</a>	Request for Issuance of Summons by Plaintiff Jose Ageo Luna Vanegas. (Zimmermann, Jennifer) (Entered: 02/11/2021)
02/12/2021	<a href="#">7</a>	Summons Issued as to Signet Builders, Inc. (jls) (Entered: 02/12/2021)
03/03/2021	<a href="#">8</a>	Affidavit of Service by Plaintiff. Signet Builders, Inc. served on 2/24/2021, answer due 3/17/2021. (Zimmermann, Jennifer) (Entered: 03/03/2021)
03/09/2021	<a href="#">9</a>	Motion to Admit Joshua H Viau Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2840539.) by Defendant Signet Builders, Inc.. (Viau, Joshua) (Entered: 03/09/2021)
03/09/2021	<a href="#">10</a>	Motion to Admit Edward N. Boehm, Jr Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2840673.) by Defendant Signet Builders, Inc.. (Boehm, Edward) (Main Document 10 replaced on 3/10/2021) (jls). (Entered: 03/09/2021)
03/10/2021	<a href="#">11</a>	Motion to Admit Ann Margaret Pointer Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2841246.) by Defendant Signet Builders, Inc.. (Pointer, Ann) (Main Document 11 replaced on 3/10/2021) (jls). (Entered: 03/10/2021)
03/10/2021	<a href="#">12</a>	Consent Motion for Extension of Time to File Answer to Plaintiff's Complaint by Defendant Signet Builders, Inc.. Response due 3/17/2021. (Boehm, Edward) (Entered: 03/10/2021)
03/10/2021	13	** TEXT ONLY ORDER ** ORDER granting <a href="#">12</a> Motion for Extension of Time to Answer re <a href="#">1</a> Complaint. Signet Builders, Inc. answer due 4/7/2021. Signed by Magistrate Judge Stephen L. Crocker on 8/10/2021. (voc) (Entered: 03/10/2021)
03/11/2021	14	** TEXT ONLY ORDER ** ORDER granting <a href="#">9</a> Motion to Admit Joshua H. Viau Pro Hac Vice; granting <a href="#">10</a> Motion to Admit Edward N. Boehm, Jr., Pro Hac Vice; granting <a href="#">11</a> Motion to Admit Ann Margaret Pointer Pro Hac Vice. Signed by Magistrate Judge Peter A. Oppeneer on 3/11/2021. (lak) (Entered: 03/11/2021)
03/12/2021	<a href="#">15</a>	Motion for Conditional Certification of Class by Plaintiff Jose Ageo Luna Vanegas. Brief in Opposition due 4/2/2021. Brief in Reply due 4/12/2021. (Sweitzer-Beckman, Erica) (Entered: 03/12/2021)
03/12/2021	<a href="#">16</a>	Brief in Support of <a href="#">15</a> Motion for Conditional Certification of Class by Plaintiff Jose Ageo Luna Vanegas (Sweitzer-Beckman, Erica) (Entered: 03/12/2021)
03/12/2021	<a href="#">17</a>	Declaration of Erica Sweitzer-Beckman filed by Plaintiff Jose Ageo Luna Vanegas re: <a href="#">15</a> Motion for Conditional Certification of Class (Attachments: # <a href="#">1</a> Exhibit Sampling of Signet 2019 Job Orders, # <a href="#">2</a> Exhibit Sampling of Signet 2020 job orders, # <a href="#">3</a> Exhibit Proposed Notice and Consent Form) (Sweitzer-Beckman, Erica) (Entered: 03/12/2021)
03/12/2021	<a href="#">18</a>	Declaration of Benjamin R. Botts filed by Plaintiff Jose Ageo Luna Vanegas re: <a href="#">15</a> Motion for Conditional Certification of Class (Sweitzer-Beckman, Erica) (Entered: 03/12/2021)
03/12/2021	<a href="#">19</a>	Declaration of Jose Ageo Luna Vanegas filed by Plaintiff Jose Ageo Luna Vanegas re: <a href="#">15</a> Motion for Conditional Certification of Class (Sweitzer-Beckman, Erica) (Entered: 03/12/2021)

03/15/2021		Action Requested: If you have not already provided your <a href="#">Consent to Magistrate/Request for Reassignment form</a> , please do so by 3/22/2021. (lak) (Entered: 03/15/2021)
03/15/2021	<a href="#">20</a>	Notice of Consent to Join Lawsuit by Plaintiff Jose Ageo Luna Vanegas <i>for Jose Luis Garcia Gonzalez</i> (Zimmermann, Jennifer) (Entered: 03/15/2021)
03/17/2021	<a href="#">21</a>	Consent Motion for Extension of Time <i>for Defendant to File Response to Plaintiff's Motion for Conditional Certification</i> by Defendant Signet Builders, Inc.. Response due 3/24/2021. (Boehm, Edward) (Entered: 03/17/2021)
03/17/2021	22	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">21</a> Motion for Extension of Time. Brief in Opposition due 4/7/2021. Brief in Reply due 4/19/2021. Signed by Magistrate Judge Stephen L. Crocker on 3/17/2021. (jls) (Entered: 03/17/2021)
03/17/2021	<a href="#">23</a>	Motion to Admit Lorraine Gaynor Pro Hac Vice. ( Pro Hac Vice fee \$ 100 receipt number 0758-2845061.) by Plaintiff Jose Ageo Luna Vanegas. (Gaynor, Lorraine) (Entered: 03/17/2021)
03/18/2021		Judge update in case. Case randomly reassigned to District Judge James D. Peterson and Magistrate Judge Stephen L. Crocker. (lak) (Entered: 03/18/2021)
03/18/2021	24	<b>** TEXT ONLY ORDER **</b> ORDER granting <a href="#">23</a> Motion to Admit Lorraine Gaynor Pro Hac Vice. Signed by Magistrate Judge Peter A. Oppeneer on 3/18/2021. (lak) (Entered: 03/18/2021)
04/07/2021	<a href="#">25</a>	<b>MOTION TO DISMISS</b> by Defendant Signet Builders, Inc.. Brief in Opposition due 4/28/2021. Brief in Reply due 5/10/2021. (Viau, Joshua) (Entered: 04/07/2021)
04/07/2021	<a href="#">26</a>	Disregard. Modified on 4/7/2021. (lak) (Entered: 04/07/2021)
04/07/2021	<a href="#">27</a>	Brief in Opposition by Defendant Signet Builders, Inc. re: <a href="#">15</a> Motion for Conditional Certification of Class filed by Jose Ageo Luna Vanegas (Boehm, Edward) (Entered: 04/07/2021)
04/07/2021	<a href="#">28</a>	Declaration of Natalie Farmer filed by Defendant Signet Builders, Inc. re: <a href="#">15</a> Motion for Conditional Certification of Class (Boehm, Edward) (Entered: 04/07/2021)
04/07/2021	<a href="#">29</a>	Amended Brief in Support of <a href="#">25</a> Motion to Dismiss by Defendant Signet Builders, Inc. (Attachments: # <a href="#">1</a> Exhibit A - 1941 Wage Hour Interpretation.) (Viau, Joshua) Modified on 4/8/2021. (lak) (Entered: 04/07/2021)
04/08/2021		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 5/12/2021 at 01:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [ <a href="#">Standing Order Governing Preliminary Pretrial Conference</a> attached] (jls) (Entered: 04/08/2021)
04/15/2021	<a href="#">30</a>	Joint Stipulation to Extend Time to Respond <i>to Defendant's Motion to Dismiss and Reply Regarding the Motion for Conditional Certification</i> by Plaintiff Jose Ageo Luna Vanegas. (Zimmermann, Jennifer) (Entered: 04/15/2021)
04/15/2021	31	<b>** TEXT ONLY ORDER **</b> The parties' stipulation to extend the deadlines for the remaining brief(s) on the dismissal motion and the motion for conditional certification is accepted and the requested extensions are granted. The plaintiff's unopposed proposal to postpone the

		telephonic preliminary pretrial conference is declined. We will go forward on May 12, 2021 at 1:00 as scheduled. Signed by Magistrate Judge Stephen L. Crocker on 4/15/2021. (jls) (Entered: 04/15/2021)
05/07/2021	<a href="#">32</a>	Joint Motion for Extension of Time to <i>Submit 26(f) Report</i> by Plaintiff Jose Ageo Luna Vanegas. Motions referred to Magistrate Judge Stephen L. Crocker. (Zimmermann, Jennifer) (Entered: 05/07/2021)
05/07/2021	33	** TEXT ONLY ORDER ** ORDER granting <a href="#">32</a> Motion for Extension of Time. Signed by Magistrate Judge Stephen L. Crocker on 5/7/2021. (jls) (Entered: 05/07/2021)
05/10/2021	<a href="#">34</a>	Joint Report of Rule 26(f) Planning Meeting (Zimmermann, Jennifer) (Entered: 05/10/2021)
05/11/2021		Reset Telephone Pretrial Conference: Telephone Pretrial Conference reset to accommodate the court's calendar for <b>5/13/2021</b> at 01:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [ <a href="#">Standing Order Governing Preliminary Pretrial Conference</a> attached] (jls) (Entered: 05/11/2021)
05/12/2021	<a href="#">35</a>	Unopposed Motion to Amend/Correct <a href="#">27</a> Brief in Opposition to <i>Plaintiff's Motion for Conditional Certification as a Collective Action under 29 U.S.C. 216(b) and for Approval to Notice to Proposed Class</i> by Defendant Signet Builders, Inc.. Response due 5/19/2021. (Attachments: # <a href="#">1</a> Exhibit proposed Amended Response in Opposition) (Boehm, Edward) (Entered: 05/12/2021)
05/13/2021	36	** TEXT ONLY ORDER ** ORDER granting <a href="#">35</a> Unopposed Motion to Amend/Correct <a href="#">27</a> Brief in Opposition to <i>Plaintiff's Motion for Conditional Certification as a Collective Action under 29 U.S.C. 216(b) and for Approval to Notice to Proposed Class</i> . Signed by Magistrate Judge Stephen L. Crocker on 5/13/2021. (rks) (Entered: 05/13/2021)
05/13/2021		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 5/13/2021 [:15] (cak) (Entered: 05/13/2021)
05/13/2021	<a href="#">37</a>	Amended Brief in Opposition by Defendant Signet Builders, Inc. re: <a href="#">15</a> Motion for Conditional Certification of Class filed by Jose Ageo Luna Vanegas (Boehm, Edward) (Entered: 05/13/2021)
05/13/2021	38	** TEXT ONLY ORDER ** At a May 13, 2021 telephonic status conference with counsel, the court set a rudimentary schedule in this case. First, at the parties' request, plaintiff's deadline to reply in support of his motion for conditional certification is extended to June 4, 2021, and defendant's reply in support of its motion to dismiss is extended to June 25, 2021. Discovery is stayed until August 31, 2021 or until the court rules on the motion to dismiss, whichever comes first. Defendant's motion to decertify any conditionally certified class is due by January 31, 2022. Rule 56 motions from either party are due by July 29, 2022. Jury selection and trial will begin on January 30, 2023 at 9:00 a.m. We will set the rest of the schedule at a telephonic preliminary pretrial conference to be held if necessary after the court rules on the dismissal motion. The parties had no other matters to bring to the court's attention. Signed by Magistrate Judge Stephen L. Crocker on 5/13/2021. (rks) (Entered: 05/13/2021)

05/19/2021	<a href="#">39</a>	Brief in Opposition by Plaintiff Jose Ageo Luna Vanegas re: <a href="#">25</a> Motion to Dismiss filed by Signet Builders, Inc. (Zimmermann, Jennifer) (Entered: 05/19/2021)
05/19/2021	<a href="#">40</a>	Declaration of Jennifer J. Zimmermann filed by Plaintiff Jose Ageo Luna Vanegas <i>in Opposition to</i> re: <a href="#">25</a> Motion to Dismiss (Attachments: # <a href="#">1</a> Exhibit 1 Signet Webpage and LinkedIn page, # <a href="#">2</a> Exhibit 2 Alewelt Stipulated Order, # <a href="#">3</a> Exhibit 3 In re MRL Fencing opinions) (Zimmermann, Jennifer) (Entered: 05/19/2021)
06/04/2021	<a href="#">41</a>	Motion for Extension of Time by Plaintiff Jose Ageo Luna Vanegas. Motions referred to Magistrate Judge Stephen L. Crocker. (Sweitzer-Beckman, Erica) (Entered: 06/04/2021)
06/04/2021	42	** TEXT ONLY ORDER ** ORDER granting <a href="#">41</a> Motion for Extension of Time. Brief in Reply due 6/7/2021. Signed by Magistrate Judge Stephen L. Crocker on 6/4/2021. (jls) (Entered: 06/04/2021)
06/07/2021	<a href="#">43</a>	Brief in Reply by Plaintiff Jose Ageo Luna Vanegas in Support of <a href="#">15</a> Motion for Conditional Certification of Class (Sweitzer-Beckman, Erica) (Entered: 06/07/2021)
06/07/2021	<a href="#">44</a>	Declaration of Erica Sweitzer-Beckman filed by Plaintiff Jose Ageo Luna Vanegas re: <a href="#">15</a> Motion for Conditional Certification of Class (Attachments: # <a href="#">1</a> Exhibit Luna Vanegas paystubs, # <a href="#">2</a> Exhibit USDOL H-2B data 2019, # <a href="#">3</a> Exhibit unpublished motion to modify, # <a href="#">4</a> Exhibit Revised notice and consent form) (Sweitzer-Beckman, Erica) (Entered: 06/07/2021)
06/24/2021	<a href="#">45</a>	Consent Motion for Extension of Time <i>to File Reply in Support of Motion to Dismiss</i> by Defendant Signet Builders, Inc.. Motions referred to Magistrate Judge Stephen L. Crocker. (Boehm, Edward) (Entered: 06/24/2021)
06/24/2021	46	** TEXT ONLY ORDER ** ORDER granting <a href="#">45</a> Motion for Extension of Time. Brief in Reply due 6/28/2021. Signed by Magistrate Judge Stephen L. Crocker on 6/24/2021. (jls) (Entered: 06/24/2021)
06/28/2021	<a href="#">47</a>	Disregard. Modified on 6/28/2021. (lak) (Entered: 06/28/2021)
06/28/2021	<a href="#">48</a>	Brief in Reply by Defendant Signet Builders, Inc. in Support of <a href="#">25</a> Motion to Dismiss <i>Complaint</i> (Viau, Joshua) (Entered: 06/28/2021)
07/21/2021	<a href="#">49</a>	Notice by Defendant Signet Builders, Inc. re: <a href="#">15</a> Motion for Conditional Certification of Class, <a href="#">25</a> Motion to Dismiss. <i>Notice of Issuance of a Decision of The Court of Appeals for the Eighth Circuit Affirming a Cited Case in Defendant's Memorandum in Support of its Motion to Dismiss and Pertinent to its Objection to Conditional FLSA Class Certification.</i> (Boehm, Edward) Modified on 7/22/2021: Notice of Supplemental Authority? Linked to the pending motions instead of the briefs. (lak) (Entered: 07/21/2021)
07/23/2021	<a href="#">50</a>	Notice by Plaintiff Jose Ageo Luna Vanegas <i>of Intent to Reply to Defendant's Notice of Issuance of Decision.</i> (Sweitzer-Beckman, Erica) Modified on 7/26/2021. (lak) (Entered: 07/23/2021)

07/27/2021	<a href="#">51</a>	Notice by Plaintiff Jose Ageo Luna Vanegas re <a href="#">49</a> Notice; <i>Response to Defendant's Notice of Issuance of a Decision of the Court of Appeals for the Eight Circuit.</i> (Zimmermann, Jennifer) Modified on 7/28/2021 (jls). (Entered: 07/27/2021)
08/12/2021	<a href="#">52</a>	ORDER granting <a href="#">25</a> Motion to Dismiss; denying as moot <a href="#">15</a> Motion for Conditional Certification of Class. Signed by District Judge James D. Peterson on 8/12/2021. (jls) (Entered: 08/12/2021)
08/12/2021	<a href="#">53</a>	JUDGMENT entered in favor of Defendant Signet Builders, Inc. dismissing the case. (jls) (Entered: 08/12/2021)
09/08/2021	<a href="#">54</a>	NOTICE OF APPEAL by Plaintiff Jose Ageo Luna Vanegas as to <a href="#">53</a> Judgment, <a href="#">52</a> Order on Motion to Dismiss. Filing fee of \$ 505, receipt number 0758-2932671 paid. Docketing Statement filed. (Attachments: # <a href="#">1</a> Docketing Statement) (Zimmermann, Jennifer) (Entered: 09/08/2021)
09/08/2021	<a href="#">55</a>	Appeal Information Packet. (lak) (Entered: 09/08/2021)