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FLSA Claims Were Properly Dismissed At Pleadings Stage in **Landers v. Quality Communications, Inc**

Article By:

Harold M Brody

Enzo Der Boghossian

Anthony J Oncidi

Kenneth Sulzer

Mark Theodore

Greg Landers, who was employed as a cable services installer, brought suit individually and on behalf of other similarly situated persons, alleging that **Quality** failed to pay him and the other employees minimum and overtime wages in violation of the **Fair Labor Standards Act ("FLSA")**. The district court granted Quality's motion to dismiss based on FRCP 8(a)(2) and 12(b)(6), concluding that the complaint did "not make any factual allegations providing an approximation of the overtime hours worked, plaintiff's hourly wage, or the amount of unpaid overtime wages..."

Landers expressly declined an opportunity to amend his complaint, electing instead to stand on his claims as alleged. The United States Court of Appeals for the Ninth Circuit affirmed dismissal of the complaint, applying the United States Supreme Court's opinions in *Twombly* and *Iqbal* to the pleading in this case. The Court held that Landers failed to state a claim for unpaid minimum and overtime wages in that the complaint did not allege facts showing that there was a given week in which Landers was entitled to but denied minimum or overtime wages.

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