

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

NATHAN WITMAN,
Individually and on behalf of
all those similarly situated,

Plaintiff,

v.

Case No. 26-CV-00235

STENY'S, INC.,

Defendant.

COMPLAINT

PRELIMINARY STATEMENT

1. Plaintiff, Nathan Witman, brings individual, collective, and class claims under the Fair Labor Standards Act and Wisconsin law against Defendant, Steny's, Inc. Defendant has employed Plaintiff and members of the FLSA Collective and the Wisconsin Class as front-of-house employees at its restaurant and bar, Steny's Tavern & Grill. Defendant takes at tip credit to meet its obligations to pay front-of-house employees the minimum wage. Defendant also operates a mandatory tip pool that includes kitchen employees who do not customarily and regularly receive tips in violation of 29 U.S.C. § 203(m)(2)(A). Defendant also failed to provide Plaintiff and the FLSA Collective with the requisite notice to take a tip credit in violation 29 U.S.C. § 203(m)(2)(A). Defendant also failed to have a tip declaration signed by Plaintiff and the Wisconsin Class each pay period as required by Wis.

Admin. Code § 272.03(2)(b)1. As a result of these violations, Defendant is not entitled to take a tip credit for front-of-house employees and thus failed to pay Plaintiff, the FLSA Collective, and the Wisconsin Class the minimum wage in violation of the Fair Labor Standard Act and Wisconsin law. In operating an unlawful tip pool, Defendant also kept tips received by Plaintiff and the FLSA Collective in violation of 29 U.S.C. § 203(m)(2)(B).

PARTIES

2. Nathan Witman is an adult resident of Milwaukee County, Wisconsin.
3. Nathan Witman's consent to join form is filed as Exhibit 1 to this Complaint.
4. Steny's, Inc. is a business corporation incorporated under the laws of Wisconsin.
5. Steny's, Inc.'s registered agent is Jerome K. Stenstrup at 800 South 2nd Street, Milwaukee, WI 53204.
6. The FLSA Collective is defined as:

All persons who are or were employed as front-of-house employees at Steny's Tavern & Grill and who received a cash wage of less than \$7.25 at any time in the two years preceding the filing of this company and through the present.
7. The Wisconsin Class is defined as:

All persons who are or were employed as front-of-house employees at Steny's Tavern & Grill and who received a cash wage of less than \$7.25 at any time in the two years preceding the filing of this company and through the present.

JURISDICTION AND VENUE

8. The Court has original jurisdiction over Plaintiff's FLSA claims under 28 U.S.C. § 1331.

9. Venue is proper in the United States District Court for the Eastern District of Wisconsin under 28 U.S.C. § 1331(b)(2) because a substantial part of the events and omissions giving rise to these claims occurred in this district and under 28 U.S.C. § 1331(b)(1) because Defendant reside in this district.

FACTUAL ALLEGATIONS

10. Defendant operates the restaurant and bar Steny's Tavern & Grill at 800 South 2nd Street in Milwaukee, Wisconsin.

11. On information and belief, in each of the three years preceding the filing of this action, Defendant's gross annual business was \$500,000 or more.

12. At times in the past three years, Defendant employed Plaintiff as a front-of-house employee at Steny's Tavern & Grill.

13. Defendant paid Plaintiff a cash wage of less than \$7.25 per hour.

14. Defendant took a tip credit to meet its obligation to pay Plaintiff the minimum wage.

15. As an employee of Defendant, Plaintiff processed credit card payments from customers using the internet numerous times during each shift.

16. As an employee of Defendant, Plaintiff regularly handled food and beverage products that travelled in interstate commerce during each workweek.

17. At times in the past three years and through the present, Defendant employed each member of the FLSA Collective as a front-of-house employee at Steny's Tavern & Grill.

18. Defendant paid each member of the FLSA Collective a cash wage that was less than \$7.25 per hour.

19. Defendant took a tip credit to meet its obligation to pay each member of the FLSA Collective the minimum wage.

20. As an employee of Defendant, each member of the FLSA Collective processed credit card payments from customers using the internet numerous times during each shift.

21. As an employee of Defendant, each member of the FLSA Collective regularly handled food and beverage products that travelled in interstate commerce during each workweek.

22. At times in the past two years and through the present, Defendant employed each member of the Wisconsin Class as a front-of-house employee at Steny's Tavern & Grill.

23. Defendant paid each member of the Wisconsin Class a cash wage that was less than \$7.25 per hour.

24. Defendant took a tip credit to meet its obligation to pay each member of the Wisconsin Class the minimum wage.

25. Defendants conducted an unlawful tip pool with tips from Plaintiff, the FLSA Collective, and the Wisconsin Class.

26. Plaintiff, the FLSA Collective, and the Wisconsin Class receive tips from Defendant's customers.

27. Defendant requires Plaintiff, the FLSA Collective, and the Wisconsin Class to contribute a portion of their tips to a tip pool.

28. Participation in Defendant's tip pool is mandatory for Plaintiff, the FLSA Collective, and the Wisconsin Class.

29. Defendant shares a portion of Plaintiff's, the FLSA Collective's, and the Wisconsin Class's tips from the tip pool with kitchen workers who do not customarily and regularly receive tips.

30. Defendant pays the wages of kitchen workers who do not customarily and regularly receive tips with a portion of Plaintiff's, the FLSA Collective's, and the Wisconsin Class's tips from the tip pool.

31. Defendant does not provide Plaintiff and the FLSA Collective the requisite notice and information to take a tip credit as required by 29 U.S.C. § 203(m)(2)(A).

32. Defendant does not have a tip declaration signed by Plaintiff and the Wisconsin Class each pay period as required by Wis. Admin. Code § 272.03(2)(b)1.

33. Defendant is not entitled to take a tip credit to meet its obligation to pay Plaintiff, the FLSA Collective, and the Wisconsin Class the minimum wage.

34. Defendant did not pay Plaintiff, the FLSA Collective, and the Wisconsin Class a wage of at least \$7.25 per hour.

35. In operating an unlawful tip pool, Defendant also kept tips received by Plaintiff and the FLSA Collective.

CLASS ALLEGATIONS

36. Plaintiff brings the Third Claim for Relief on his own behalf and on behalf of the Wisconsin Class pursuant to Federal Rule of Civil Procedure 23(a) and (b).

37. The persons in the Wisconsin Class are so numerous that joinder of all class members is impracticable. Although the precise number of such persons is unknown, upon information and belief, Defendant has employed more than 40 people who satisfy the class definition.

38. There are questions of law and fact common to the Wisconsin Class that are capable of class-wide resolution and the determination of which will resolve any issues central to the validity of the class claim, including, but not limited to:

- a. Whether Defendant takes a tip credit to meet its obligation to pay front-of-house employees the minimum wage; and
- b. Whether Defendant operates a mandatory tip pool that results in the sharing of front-of-house employees' tips with employees who do not customarily and regularly receive tips; and
- c. Whether Defendant has a tip declaration signed by front-of-house employees each pay period.

39. Plaintiff's claims are typical of those of the Wisconsin Class. Plaintiff, like other members of the Wisconsin Class, has been subjected to Defendant's illegal

pay policies and practices resulting in a wage loss, including Defendant's mandatory tip pool that includes employees who do not customarily and regularly receive tips and its failure to secure a signed tip declaration each pay period.

40. Plaintiff will fairly and adequately protect the interests of the Wisconsin Class and has retained counsel experienced in complex wage and hour litigation.

41. A class action is superior to other available methods for the fair and efficient adjudication of the controversy, particularly in the context of wage-and-hour litigation, where individual plaintiffs, particularly those with relatively small claims, typically lack the financial resources to vigorously prosecute separate lawsuits in federal court against a large and wealthy corporate defendant.

42. Certification of the Wisconsin Class is appropriate under Rule 23(b)(3) because questions of law and fact common to each class member predominate over any questions affecting only individual class members, and because a class action is superior to other available methods for the fair and efficient adjudication of this litigation. Defendant's common and uniform policies and practices denied the putative class members the wages to which they are entitled. The damages suffered by each class member are small compared to the expense and burden of individually litigating each class member's claim. In addition, class certification is superior because it will obviate the need for unduly duplicative litigation that might result in inconsistent judgments about Defendant's pay practices.

43. Plaintiff intends to send notice to all members of the Wisconsin Class to the extent required by Rule 23.

FIRST CLAIM FOR RELIEF:
FAILURE TO PAY THE MINIMUM WAGE IN VIOLATION OF
THE FAIR LABOR STANDARDS ACT

44. Plaintiff, on his own behalf and on behalf of the FLSA Collective, alleges and incorporates by reference the preceding allegations.

45. Defendant has been, and continues to be, an employer within the meaning of 29 U.S.C. § 203(d).

46. Defendant has been, and continues to be, an enterprise engaged in commerce within the meaning of 29 U.S.C. § 203(s)(1).

47. Plaintiff was an employee of Defendant within the meaning of 29 U.S.C. § 203(e).

48. The members of the FLSA Collective are or were employees of Defendant within the meaning of 29 U.S.C. § 203(e).

49. As alleged above, at times during the three years preceding the filing of this action and through the present, Defendant is not entitled to take a tip credit and thus has not paid Plaintiff and FLSA Collective at a rate of \$7.25 per hour for all hours worked in violation of the 29 U.S.C. § 206(a).

50. Defendant knew that, or showed reckless disregard for whether, its conduct violated the Fair Labor Standards Act.

SECOND CLAIM FOR RELIEF:
TIP THEFT IN VIOLATION OF THE FAIR LABOR STANDARDS ACT

51. Plaintiff, on his own behalf and on behalf of the FLSA Collective, alleges and incorporates by reference the preceding allegations.

52. Defendant has been, and continues to be, an employer within the meaning of 29 U.S.C. § 203(d).

53. Defendant has been, and continues to be, an enterprise engaged in commerce within the meaning of 29 U.S.C. § 203(s)(1).

54. Plaintiff was an employee of Defendant within the meaning of 29 U.S.C. § 203(e).

55. The members of the FLSA Collective are or were employees of Defendant within the meaning of 29 U.S.C. § 203(e).

56. In operating an unlawful tip pool, Defendant kept tips received by Plaintiff and the FLSA Collective in violation of 29 U.S.C. § 203(m)(2)(B).

57. Defendant knew that, or showed reckless disregard for whether, its conduct violated the Fair Labor Standards Act.

THIRD CLAIM FOR RELIEF:
FAILURE TO PAY MINIMUM WAGE IN VIOLATION OF
WISCONSIN LAW

58. Plaintiff, on his own behalf and on behalf of the Wisconsin Class, alleges and incorporates by reference the preceding allegations.

59. Defendant has been, and continues to be, an employer within the meaning of Wis. Stat. § 104.01(3), Wis. Stat. § 109.01(2), and Wis. Admin. Code § DWD 272.01(5).

60. Plaintiff was an employee of Defendant within the meaning of Wis. Stat. § 104.01(2), Wis. Stat. § 109.01(1r), and Wis. Admin. Code § DWD 272.03.

61. The members of the Wisconsin Class are or were employees of Defendant within the meaning of Wis. Stat. § 104.01(2), Wis. Stat. § 109.01(1r), and Wis. Admin. Code § DWD 272.03.

62. As alleged above, at times during the two years preceding the filing of this action and through the present, Defendant is not entitled to take a tip credit and thus has not paid Plaintiff and Wisconsin Class at a rate of \$7.25 per hour for all hours worked in violation of the Wisconsin law.

63. Defendant's violations of Wisconsin law are for dilatory and/or unjust reasons.

REQUEST FOR RELIEF

Plaintiff, on his own behalf and on behalf of the FLSA Collective and the Wisconsin Class, requests the following relief:

- A. An order designating this action as a collective action on behalf of the FLSA Collective and issuance of notice to the FLSA Collective under 29 U.S.C. § 216(b);
- B. An order certifying this action as a class action on behalf of the Wisconsin Class under Federal Rule of Civil Procedure 23(b)(3);
- C. An order designating Nathan Witman as representative of the Wisconsin Class;
- D. An order designating Hawks Quindel, S.C., as class counsel;

E. Leave to add additional plaintiffs by motion, the filing of written consent forms, or any other method approved by the Court;

F. An order declaring that Defendant maintained policies and practices that violated the Fair Labor Standards Act and Wisconsin law;

G. An order finding that Defendant violated the Fair Labor Standards Act and Wisconsin law;

H. Judgment against Defendant in an amount equal to Plaintiff's, the FLSA Collective's, and the Wisconsin Class's unpaid minimum wages, the sum of any tip credit taken, all tips unlawfully kept, liquidated damages, and civil penalties under the Fair Labor Standards Act and Wisconsin law;

I. An award of all costs and attorneys' fees incurred in the prosecution of this action pursuant to the Fair Labor Standards Act and Wisconsin law; and

J. Any further relief that the Court deems just and equitable.

Dated: February 12, 2026

s/ Connor J. Clegg
Connor J. Clegg
State Bar Number 1118534
Larry A. Johnson
State Bar Number 1056619
Attorneys for Plaintiff

Hawks Quindel, S.C.
5150 North Port Washington Road Suite 243
Milwaukee, WI 53217
Telephone: (414) 271-8650
E-mail: cclegg@hq-law.com
ljohnson@hq-law.com

CONSENT FORM

I hereby consent to make claims against Steny's, Inc. for unpaid minimum wages and tip theft under the Fair Labor Standards Act. At times in the past three years, I worked as a front-of-house employee at Steny's Tavern & Grill. Steny's, Inc., paid me an hourly wage that was less than the minimum wage. Steny's Inc. then took a tip credit to meet its obligation to pay me the minimum wage. Steny's, Inc. required me to contribute my tips to a mandatory tip pool and then shared those tips with employees who did not customarily and regularly receive tips. Steny's, Inc. also did not provide me the requisite notice to take a tip credit. Steny's, Inc., was thus not entitled to take a tip credit for me and therefore failed to pay me the minimum wage.

I hereby authorize the filing and prosecution of this Fair Labor Standards Act action in my name. If this case does not proceed collectively, I consent to join any subsequent action to assert these claims against Steny's, Inc.

Nathan Witman

Signature

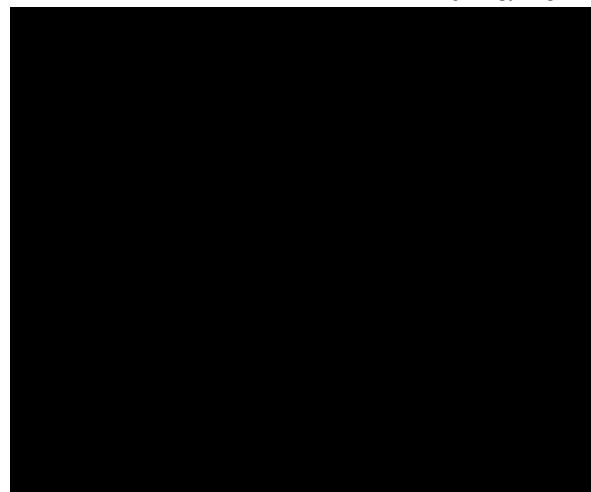
02 / 10 / 2026

Date

Fax, Mail or Email to:
Hawks Quindel, S.C.
Attn: Connor J. Clegg
5150 N. Port Washington Rd.
Suite 243
Milwaukee, WI 53217
Telephone: (262) 624-8063
Fax: (414) 207-6079
Email: clegg@hq-law.com
www.hq-law.com

Nathan Witman

Print Name



UNITED STATES DISTRICT COURT
for the
Eastern District of Wisconsin

Nathan Witman, individually and on behalf of
all those similarly situated,)

Plaintiff(s))
v.) Civil Action No. 26-CV-00235

Steny's, Inc.)

Defendant(s))

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Steny's Inc.
c/o Jerome L. Stenstrup
800 South 2nd Street
Milwaukee, WI 53204-1821

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you receive it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) – you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or the plaintiff's attorney, whose name and address are:

Connor Clegg and Larry Johnson
Hawks Quindel, S.C.
5150 North Port Washington Road, Suite 243
Milwaukee, WI 53217

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

LINDA M. KLEMM, CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))

This summons and the attached complaint for (*name of individual and title, if any*):

were received by me on (*date*) _____.

I personally served the summons and the attached complaint on the individual at (*place*):

on (*date*) _____ ; or

I left the summons and the attached complaint at the individual's residence or usual place of abode with (*name*) _____, a person of suitable age and discretion who resides there,

on (*date*) _____, and mailed a copy to the individual's last known address; or

I served the summons and the attached complaint on (*name of individual*) _____

who is designated by law to accept service of process on behalf of (*name of organization*) _____

on (*date*) _____ ; or

I returned the summons unexecuted because _____ ; or

Other (*specify*): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

Place an "X" in the appropriate box (required): Green Bay Division Milwaukee Division

I. (a) PLAINTIFFS

Nathan Witman

(b) County of Residence of First Listed Plaintiff Milwaukee County

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Connor Clegg and Larry Johnson, Hawks Quindel, S.C., 5150 N. Port Washington Rd. Ste. 243, Milwaukee, WI 53217, (414) 271-8650

DEFENDANTS

Steny's, Inc.

County of Residence of First Listed Defendant Milwaukee County

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

| | |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

| | PTF | DEF | PTF | DEF |
|---|----------------------------|----------------------------|---|--|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 <input checked="" type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions](#).

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|--|--|--|--|---|
| <input type="checkbox"/> 110 Insurance | PERSONAL INJURY | PERSONAL INJURY | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> 375 False Claims Act |
| <input type="checkbox"/> 120 Marine | <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 365 Personal Injury - Product Liability | <input type="checkbox"/> 422 Appeal 28 USC 158 | <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) |
| <input type="checkbox"/> 130 Miller Act | <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability | <input type="checkbox"/> 423 Withdrawal 28 USC 157 | <input type="checkbox"/> 379(a)) |
| <input type="checkbox"/> 140 Negotiable Instrument | | | | <input type="checkbox"/> 400 State Reapportionment |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | <input type="checkbox"/> 320 Assault, Libel & Slander | | | <input type="checkbox"/> 410 Antitrust |
| <input type="checkbox"/> 151 Medicare Act | <input type="checkbox"/> 330 Federal Employers' Liability | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | | <input type="checkbox"/> 430 Banks and Banking |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) | <input type="checkbox"/> 340 Marine | | | <input type="checkbox"/> 450 Commerce |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits | <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 370 Other Fraud | | <input type="checkbox"/> 460 Deportation |
| <input type="checkbox"/> 160 Stockholders' Suits | <input type="checkbox"/> 350 Motor Vehicle | <input type="checkbox"/> 371 Truth in Lending | | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations |
| <input type="checkbox"/> 190 Other Contract | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 380 Other Personal Property Damage | | <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) |
| <input type="checkbox"/> 195 Contract Product Liability | <input type="checkbox"/> 360 Other Personal Injury | <input type="checkbox"/> 385 Property Damage | | <input type="checkbox"/> 485 Telephone Consumer Protection Act |
| <input type="checkbox"/> 196 Franchise | <input type="checkbox"/> 362 Personal Injury - Medical Malpractice | <input type="checkbox"/> 386 Product Liability | | <input type="checkbox"/> 490 Cable/Sat TV |
| REAL PROPERTY | CIVIL RIGHTS | PRISONER PETITIONS | | |
| <input type="checkbox"/> 210 Land Condemnation | <input type="checkbox"/> 440 Other Civil Rights | Habeas Corpus: | <input type="checkbox"/> 861 HIA (1395ff) | <input type="checkbox"/> 850 Securities/Commodities/ Exchange |
| <input type="checkbox"/> 220 Foreclosure | <input type="checkbox"/> 441 Voting | <input type="checkbox"/> 463 Alien Detainee | <input type="checkbox"/> 862 Black Lung (923) | <input type="checkbox"/> 890 Other Statutory Actions |
| <input type="checkbox"/> 230 Rent Lease & Ejectment | <input type="checkbox"/> 442 Employment | <input type="checkbox"/> 510 Motions to Vacate Sentence | <input type="checkbox"/> 863 DIWC/DIWW (405(g)) | <input type="checkbox"/> 891 Agricultural Acts |
| <input type="checkbox"/> 240 Torts to Land | <input type="checkbox"/> 443 Housing/ Accommodations | <input type="checkbox"/> 530 General | <input type="checkbox"/> 864 SSID Title XVI | <input type="checkbox"/> 893 Environmental Matters |
| <input type="checkbox"/> 245 Tort Product Liability | <input type="checkbox"/> 445 Amer. w/Disabilities - Employment | <input type="checkbox"/> 535 Death Penalty | <input type="checkbox"/> 865 RSI (405(g)) | <input type="checkbox"/> 895 Freedom of Information Act |
| <input type="checkbox"/> 290 All Other Real Property | <input type="checkbox"/> 446 Amer. w/Disabilities - Other | Other: | | <input type="checkbox"/> 896 Arbitration |
| | <input type="checkbox"/> 448 Education | <input type="checkbox"/> 540 Mandamus & Other | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision |
| | | <input type="checkbox"/> 550 Civil Rights | <input type="checkbox"/> 871 IRS—Third Party | <input type="checkbox"/> 950 Constitutionality of State Statutes |
| | | <input type="checkbox"/> 555 Prison Condition | | |
| | | <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement | | |
| IMMIGRATION | | | | |
| | | <input type="checkbox"/> 462 Naturalization Application | | |
| | | <input type="checkbox"/> 465 Other Immigration Actions | | |

V. ORIGIN (Place an "X" in One Box Only)

| | | | | | | |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
29 U.S.C. § 216(b)

VI. CAUSE OF ACTION

Brief description of cause:
Minimum wage and tip claims under the FLSA and Wisconsin law

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$ _____

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See *updated* instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

02/10/2026

SIGNATURE OF ATTORNEY OF RECORD

s/Connor J. Clegg

FOR OFFICE USE ONLY

RECEIPT # _____

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AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 - United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 - Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 - Original Proceedings. (1) Cases which originate in the United States district courts.
 - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 - Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 - Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 - Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 - Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending and **previously filed** cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases **and file a Notice of Related Action pursuant to Civil L.R. 3(b).**

Date and Attorney Signature. Date and sign the civil cover sheet.