

**U.S. District Court
Middle District of Florida (Orlando)
CIVIL DOCKET FOR CASE #: 6:21-cv-01008-PGB-DCI**

Wall v. Southwest Airlines et al
Assigned to: Judge Paul G. Byron
Referred to: Magistrate Judge Daniel C. Irick
Demand: \$351,000
Cause: 42:1983 Civil Rights Act

Date Filed: 06/14/2021
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Lucas Wall
*on behalf of himself and all others
similarly situated*

represented by **Lucas Wall**
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Washington, DC 20002
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PRO SE

V.

Defendant

Southwest Airlines

represented by **Roberto A. Torricella , Jr.**
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Defendant

Alaska Airlines

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Defendant

Allegiant Air

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Defendant

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Defendant

Frontier Airlines

represented by **Brian T. Maye**
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ATTORNEY TO BE NOTICED

Kyle Dudek
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ATTORNEY TO BE NOTICED

William Boltrek , III
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Defendant

JetBlue Airways

represented by **Milton Roy Goldberg**
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LEAD ATTORNEY
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Maurice Jay Baumgarten
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ATTORNEY TO BE NOTICED

Roberto A. Torricella , Jr.
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Defendant

Spirit Airlines

represented by **Miguel Morel**
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Defendant

**Numerous Unnamed Executives of the
 7 Airlines**

Date Filed	#	Docket Text
06/14/2021	<u>1</u>	COMPLAINT against Alaska Airlines, Allegiant Air, Delta Air Lines, Frontier Airlines, JetBlue Airways, Southwest Airlines, Spirit Airlines filed by Lucas Wall. (Attachments: # <u>1</u> Exhibits 1-20, # <u>2</u> Exhibits 21-40, # <u>3</u> Exhibits 41-60, # <u>4</u> Exhibits 61-80, # <u>5</u> Exhibits 81-94, # <u>6</u> Exhibits 96-110, # <u>7</u> Exhibits 111-133, # <u>8</u> Proposed Summons – Southwest Airlines, # <u>9</u> Proposed Summons – Alaska Airlines, # <u>10</u> Proposed Summons – Allegiant Air, # <u>11</u> Proposed Summons – Delta Air Lines, # <u>12</u> Proposed Summons – Frontier Airlines, # <u>13</u> Proposed Summons – JetBlue Airways, # <u>14</u> Proposed Summons – Spirit Airlines, # <u>15</u> Civil Cover Sheet)(TNP) (Entered: 06/14/2021)
06/14/2021	<u>2</u>	NOTICE of a related action per Local Rule 1.07(c) by Lucas Wall. Related case(s): Yes (TNP) (Entered: 06/14/2021)
06/14/2021	<u>3</u>	MOTION for Leave to File Electronically by Lucas Wall. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(TNP) (Entered: 06/14/2021)
06/15/2021	<u>4</u>	(VACATED PER <u>14</u> ORDER) ORDER Judge Kelly's Standing Discovery Order. Signed by Magistrate Judge Gregory J. Kelly on 6/15/2021. (MB) Modified on 6/23/2021 (RDO). (Entered: 06/15/2021)
06/15/2021	<u>5</u>	Emergency MOTION for Temporary Restraining Order against all defendants as to count 1 of the complaint by Lucas Wall. (Attachments: # <u>1</u> Exhibit Proposed Order, # <u>2</u> Exhibit Declaration 1)(DS) (Entered: 06/15/2021)
06/15/2021	<u>6</u>	SUMMONS issued as to All Defendants. (RDO) (Entered: 06/15/2021)
06/15/2021		FEES paid by Lucas Wall (Filing fee \$402.00 receipt number ORL098793) (TNP) (Entered: 06/15/2021)
06/16/2021	<u>7</u>	RESPONSE in Opposition re <u>5</u> MOTION for Temporary Restraining Order filed by JetBlue Airways. (Gilbert, Suzanne) (Entered: 06/16/2021)
06/16/2021	<u>8</u>	ORDER denying <u>5</u> Motion for Temporary Restraining Order. Signed by Judge Paul G. Byron on 6/16/2021. (JNB) Modified on 6/16/2021 (GNB). (Entered: 06/16/2021)
06/16/2021	<u>9</u>	Entered in Error. (Entered: 06/16/2021)
06/17/2021	<u>10</u>	INITIAL ORDER re: Case Management and Deadlines. Signed by Judge Paul G. Byron on 6/17/2021. (GNB) e-mailed/e-mailed (Entered: 06/17/2021)

06/17/2021	<u>11</u>	ORDER REFERRING CASE to Magistrate Judge for Report and Recommendations. Signed by Judge Paul G on 6/17/2021. (GNB) copies mailed/e-mailed (Entered: 06/17/2021)
06/17/2021	<u>12</u>	ORDER granting <u>3</u> Plaintiff's Motion for Leave to File Electronically. The Clerk shall permit Plaintiff to register and use CM/ECF only for the prosecution of this case. Plaintiff shall have CM/ECF privileges provided he: (1) Complies with the Middle District of Florida Administrative Procedures for Electronic Filing, which can be found at https://www.flmd.uscourts.gov/sites/flmd/files/documents/flmd-administrative-procedures-for-electronic-filing.pdf; (2) Follows the Clerk's instructions with respect to registering and using the CM/ECF system; and (3) Plaintiff shall not abuse the privilege. Signed by Magistrate Judge Thomas B. Smith on 6/17/2021. (MB) (Entered: 06/17/2021)
06/22/2021	<u>13</u>	RETURN of service executed on 06/21/2021 by Lucas Wall as to Delta Air Lines. (Wall, Lucas) Modified on 6/22/2021 (RDO). (Entered: 06/22/2021)
06/22/2021	<u>14</u>	ORDER In the interests of justice, the undersigned transfers this case to United States Magistrate Judge Daniel C. Irick, with his permission. The Standing Discovery Order, Doc. No. 4, is VACATED. Signed by Magistrate Judge Gregory J. Kelly on 6/22/2021. (MB) (Entered: 06/22/2021)
06/23/2021	<u>15</u>	REQUEST for waiver of Service sent to Southwest Airlines on June 22, 2021 by Lucas Wall. (Wall, Lucas) (Entered: 06/23/2021)
06/23/2021	<u>16</u>	REQUEST for waiver of Service sent to Alaska Airlines on June 22, 2021 by Lucas Wall. (Wall, Lucas) (Entered: 06/23/2021)
06/23/2021	<u>17</u>	REQUEST for waiver of Service sent to Allegiant Air on June 22, 2021 by Lucas Wall. (Wall, Lucas) (Entered: 06/23/2021)
06/23/2021	<u>18</u>	REQUEST for waiver of Service sent to Frontier Airlines on June 22, 2021 by Lucas Wall. (Wall, Lucas) (Entered: 06/23/2021)
06/23/2021	<u>19</u>	REQUEST for waiver of Service sent to JetBlue Airways on June 22, 2021 by Lucas Wall. (Wall, Lucas) (Entered: 06/23/2021)
06/23/2021	<u>20</u>	REQUEST for waiver of Service sent to Spirit Airlines on June 22, 2021 by Lucas Wall. (Wall, Lucas) (Entered: 06/23/2021)
06/23/2021	<u>21</u>	Case Reassigned to Magistrate Judge Daniel C. Irick. New case number: 6:21-cv-01008-PGB-DCI. Magistrate Judge Gregory J. Kelly no longer assigned to the case. (ALL) (Entered: 06/23/2021)
06/25/2021	<u>22</u>	MOTION to Disqualify Judge <i>Magistrate Judge Daniel Irick</i> by Lucas Wall. (Attachments: # <u>1</u> Exhibit 1)(Wall, Lucas) (Entered: 06/25/2021)
07/01/2021	<u>23</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Order by Lucas Wall. (Wall, Lucas) (Entered: 07/01/2021)
07/09/2021	<u>24</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>1</u> Complaint by Delta Air Lines. (Baumgarten, Maurice) (Entered: 07/09/2021)
07/09/2021	<u>25</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Order by Delta Air Lines. (Baumgarten, Maurice) (Entered: 07/09/2021)
07/12/2021	<u>26</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Initial Order by JetBlue Airways. (Gilbert, Suzanne) Modified on 7/13/2021 (RDO). (Entered: 07/12/2021)
07/12/2021	<u>27</u>	NOTICE of a related action per Local Rule 1.07(c) by JetBlue Airways. Related case(s): Yes (Gilbert, Suzanne) (Entered: 07/12/2021)
07/13/2021	<u>28</u>	ENDORSED ORDER granting <u>24</u> Motion for Extension of Time. On or before 7/30/2021, Defendant Delta Air Lines, Inc. shall respond to the Complaint. Signed by Magistrate Judge Daniel C. Irick on 7/13/2021. (Irick, Daniel) (Entered: 07/13/2021)
07/15/2021	<u>29</u>	MOTION for M. Roy Goldberg to appear pro hac vice, Special Admission fee paid, Receipt No. AFLMDC-1848153 \$150 by Delta Air Lines. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing, # <u>2</u> Exhibit Attorney Certification)(Baumgarten, Maurice) Motions referred to Magistrate Judge Daniel C. Irick. (Entered: 07/15/2021)
07/20/2021	<u>30</u>	ENDORSED ORDER granting <u>29</u> Motion to Appear Pro Hac Vice. M. Roy Goldberg is granted special admission to practice in the Middle District for purposes of this action pursuant to Local Rule 2.01(c), provided counsel shall register for and use the electronic filing system as adopted by the Court. Signed by Magistrate Judge Daniel C. Irick on 7/20/2021. (Irick, Daniel) (Entered: 07/20/2021)
07/21/2021	<u>31</u>	WAIVER of service returned executed on July 21, 2021 by Lucas Wall as to Spirit Airlines. (Wall, Lucas) (Entered: 07/21/2021)

07/21/2021	<u>32</u>	WAIVER of service returned executed on July 21, 2021 by Lucas Wall as to JetBlue Airways. (Wall, Lucas) (Entered: 07/21/2021)
07/21/2021	<u>33</u>	WAIVER of service returned executed on July 21, 2021 by Lucas Wall as to Southwest Airlines. (Wall, Lucas) (Entered: 07/21/2021)
07/21/2021	<u>34</u>	NOTICE by Lucas Wall re <u>22</u> MOTION to Disqualify Judge <i>Magistrate Judge Daniel Irick Updated Certificate of Consultation</i> (Wall, Lucas) (Entered: 07/21/2021)
07/21/2021	<u>35</u>	WAIVER of service returned executed on July 21, 2021 by Lucas Wall as to Alaska Airlines. (Wall, Lucas) (Entered: 07/21/2021)
07/22/2021	<u>36</u>	ORDER denying <u>22</u> Motion to Disqualify Judge. See Order. Signed by Magistrate Judge Daniel C. Irick on 7/22/2021. (RN) (Entered: 07/22/2021)
07/22/2021	<u>37</u>	Second MOTION for Extension of Time to File Response/Reply as to 28 Order on Motion for Extension of Time to File Response / Reply, <u>1</u> Complaint by Delta Air Lines. (Baumgarten, Maurice) (Entered: 07/22/2021)
07/23/2021	<u>38</u>	WAIVER of service returned executed on July 22, 2021 by Lucas Wall as to Allegiant Air. (Wall, Lucas) (Entered: 07/23/2021)
07/23/2021	<u>39</u>	WAIVER of service returned executed on July 22, 2021 by Lucas Wall as to Frontier Airlines. (Wall, Lucas) (Entered: 07/23/2021)
07/23/2021	<u>40</u>	ENDORSED ORDER granting <u>37</u> Unopposed Motion for Extension of Time. On or before 8/23/2021, Defendant Delta Air Lines, Inc. shall respond to the Complaint. Signed by Magistrate Judge Daniel C. Irick on 7/23/2021. (Irick, Daniel) (Entered: 07/23/2021)
08/23/2021	<u>41</u>	Joint MOTION to Dismiss for Failure to State a Claim by Alaska Airlines, Delta Air Lines, JetBlue Airways, Southwest Airlines. (Baumgarten, Maurice) (Entered: 08/23/2021)
08/23/2021	<u>42</u>	MOTION to Dismiss Plaintiff's Complaint by Allegiant Air, Frontier Airlines. (Dudek, Kyle) (Entered: 08/23/2021)
08/23/2021	<u>43</u>	MOTION for Brian T. Maye to appear pro hac vice, Special Admission fee paid, Receipt No. AFLMDC-18621211 filed by Allegiant Air, Frontier Airlines. (Dudek, Kyle) Motions referred to Magistrate Judge Daniel C. Irick. (Entered: 08/23/2021)
08/23/2021	<u>44</u>	ENDORSED ORDER granting <u>43</u> Motion to Appear Pro Hac Vice. Brian T. Maye is granted special admission to practice in the Middle District for purposes of this action pursuant to Local Rule 2.01(c), provided counsel shall register for and use the electronic filing system as adopted by the Court. Signed by Magistrate Judge Daniel C. Irick on 8/23/2021. (Irick, Daniel) (Entered: 08/23/2021)
08/23/2021	<u>45</u>	MOTION to Dismiss for Failure to State a Claim by Spirit Airlines. (Morel, Miguel) (Entered: 08/23/2021)
08/23/2021	<u>46</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Order by Spirit Airlines. (Morel, Miguel) (Entered: 08/23/2021)
08/23/2021	<u>47</u>	NOTICE of Appearance by Brian T. Maye on behalf of Allegiant Air, Frontier Airlines (Maye, Brian) (Entered: 08/23/2021)
08/23/2021	<u>48</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Initial Order by Allegiant Air. (Maye, Brian) Modified on 8/24/2021 (RDO). (Entered: 08/23/2021)
08/24/2021	<u>49</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Order by Alaska Airlines. (Torricella, Roberto) (Entered: 08/24/2021)
08/25/2021	<u>50</u>	(STRICKEN BY <u>54</u> ORDER) NOTICE by Lucas Wall re <u>10</u> Order <i>Notice of Preparation of Case Management Report</i> (Lucas) Modified on 8/26/2021 (RDO). (Entered: 08/25/2021)
08/25/2021	<u>51</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Order by Southwest Airlines. (Torricella, Roberto) (Entered: 08/25/2021)
08/25/2021	<u>52</u>	Joint MOTION for Extension of Time to File Case Management Report <i>and for Stay of Discovery</i> by Alaska Airlines, Delta Air Lines, JetBlue Airways, Southwest Airlines, Spirit Airlines. (Baumgarten, Maurice) (Entered: 08/25/2021)
08/25/2021	<u>53</u>	MOTION for Joinder re <u>52</u> MOTION for Extension of Time by Allegiant Air, Frontier Airlines. (Maye, Brian) Motion referred to Magistrate Judge Daniel C. Irick. Modified on 8/26/2021 (RDO). (Entered: 08/25/2021)
08/26/2021	<u>54</u>	ORDER denying without prejudice <u>52</u> Motion for Extension of Time to File; denying <u>53</u> Motion for Joinder. This Notice (Doc. 50) is STRICKEN. On or before September 10, 2021, the parties shall conduct the Case Management Conference; and On or before September 24, 2021, the parties shall file a Case Management Report. See Order. Signed by Magistrate Judge Daniel C. Irick on 8/26/2021. (RN) (Entered: 08/26/2021)

08/26/2021		Set/reset deadlines/hearings: Case management report due by 9/24/2021 (RDO) (Entered: 08/26/2021)
08/30/2021	<u>55</u>	UNOPPOSED RENEWED MOTION to Stay Discovery by Alaska Airlines, Allegiant Air, Delta Air Lines, Frontier Airlines, JetBlue Airways, Southwest Airlines, Spirit Airlines. (Baumgarten, Maurice) Modified on 8/31/2021 (RDO). (Entered: 08/30/2021)
08/31/2021	<u>56</u>	NOTICE of Appearance by Milton Roy Goldberg on behalf of Alaska Airlines, Delta Air Lines, JetBlue Airways, Southwest Airlines (Goldberg, Milton) Text modified on 9/1/2021 (RDO). (Entered: 08/31/2021)
09/01/2021	<u>57</u>	ORDER granting <u>55</u> Unopposed Renewed Motion for Stay of Discovery Pending Ruling on Defendants' Motion to Dismiss, such that Discovery is STAYED; On or before September 10, 2021, the parties shall conduct the Case Management Conference and, on or before September 24, 2021, the parties shall file a Case Management Report. Within seven days of the issuance of a final ruling by the district judge on the motions to dismiss (or any motion to dismiss later filed if Plaintiff amends the Complaint prior to such a ruling), the parties shall hold a Supplemental Case Management Conference. Within seven days of the Supplemental Case Management Conference, the parties shall submit a Supplemental Case Management Report to the Court. See Order. Signed by Magistrate Judge Daniel C. Irick on 9/1/2021. (RN) (Entered: 09/01/2021)
09/08/2021	<u>58</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>10</u> Initial Order filed by Frontier Airlines. (Brian) Modified on 9/8/2021 (RDO). (Entered: 09/08/2021)
09/09/2021	<u>59</u>	MOTION to Withdraw <i>as Counsel</i> by JetBlue Airways. (Gilbert, Suzanne) Motions referred to Magistrate Judge Daniel C. Irick. (Entered: 09/09/2021)
09/10/2021	<u>60</u>	ENDORSED ORDER granting <u>59</u> Motion to Withdraw as Attorney. Suzanne E. Gilbert is hereby terminated as counsel in this case. Signed by Magistrate Judge Daniel C. Irick on 9/10/2021. (Irick, Daniel) (Entered: 09/10/2021)
09/13/2021	<u>61</u>	AMENDED COMPLAINT against All Defendants with Jury Demand. filed by All Plaintiffs.(Wall, Lucas) (Entered: 09/13/2021)
09/14/2021	<u>62</u>	NOTICE by Lucas Wall re <u>61</u> Amended Complaint <i>Exhibits</i> (Attachments: # <u>1</u> Exhibit 1–100, # <u>2</u> Exhibit 101–150, # <u>3</u> Exhibit 151–200, # <u>4</u> Exhibit 201–275, # <u>5</u> Exhibit 276–350, # <u>6</u> Exhibit 351–400, # <u>7</u> Exhibit 401–443, # <u>8</u> Exhibit 444–525)(Wall, Lucas) (Entered: 09/14/2021)
09/14/2021	<u>63</u>	NOTICE by Lucas Wall re <u>61</u> Amended Complaint <i>Jury Demand</i> (Wall, Lucas) (Entered: 09/14/2021)
09/14/2021	<u>64</u>	NOTICE by Lucas Wall <i>Appointment of Lead Plaintiff & Class Representative</i> (Wall, Lucas) (Entered: 09/14/2021)
09/14/2021	<u>65</u>	NOTICE by Lucas Wall <i>Waiver of Individual Service</i> (Wall, Lucas) (Entered: 09/14/2021)
09/15/2021	<u>66</u>	ENDORSED ORDER denying as moot: <u>41</u> Motion to Dismiss; denying as moot <u>42</u> Motion to Dismiss; denying <u>45</u> Motion to Dismiss—all due to the filing of the Amended Complaint. Signed by Magistrate Judge Daniel C. Irick on 9/15/2021. (Irick, Daniel) (Entered: 09/15/2021)
09/15/2021	<u>67</u>	ORDER to show cause as to Lucas Wall.. Show Cause Response due by 9/30/2021 Signed by Magistrate Judge Daniel C. Irick on 9/15/2021. ctp(KKA) (Entered: 09/15/2021)
09/20/2021	<u>68</u>	Unopposed MOTION for Extension of Time to File Case Management Report re: <u>54</u> Order by All Plaintiffs. (Wall, Lucas) Motions referred to Magistrate Judge Daniel C. Irick. (Entered: 09/20/2021)
09/21/2021	<u>69</u>	ENDORSED ORDER granting <u>68</u> Unopposed Motion for Extension of Time to File Case Management Report. The requirement to file a CMR is stayed pending the Court's decision concerning the Order to Show Cause (Order) related to the Amended Complaint—contrary to Plaintiff's assertions in the Motion, the OTSC is directed both to deny the class allegations and to Plaintiff's attempt to join additional pro se named plaintiffs and act as "lead plaintiff" in this case. Signed by Magistrate Judge Daniel C. Irick on 9/21/2021. (Irick, Daniel) (Entered: 09/21/2021)
09/23/2021	<u>70</u>	NOTICE of Lead Counsel Designation by Milton Roy Goldberg on behalf of Delta Air Lines, JetBlue Airways. Lead Counsel: M. Roy Goldberg. (Goldberg, Milton) (Entered: 09/23/2021)
09/23/2021	<u>71</u>	NOTICE of Lead Counsel Designation by Maurice Jay Baumgarten on behalf of Alaska Airlines, Southwest Airlines. Counsel: Roberto A. Torricella, Jr.. (Baumgarten, Maurice) (Entered: 09/23/2021)
09/24/2021	<u>72</u>	RESPONSE TO ORDER TO SHOW CAUSE re <u>67</u> Order to show cause filed by Lucas Wall. (Attachments: # <u>1</u> Exhibit 1–7)(Wall, Lucas) (Entered: 09/24/2021)