

**U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:25-cv-22951-KMW**

Gonzalez Consuegra v. Trident Seafoods Corporation et al
Assigned to: Judge Kathleen M. Williams
Referred to: Magistrate Judge Eduardo I. Sanchez
Cause: 42:1983 Civil Rights (Employment Discrimination)

Date Filed: 07/01/2025
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff**Humberto Gonzalez Consuegra**

represented by **Humberto Gonzalez Consuegra**
417 NW 6th St.
Miami, FL 33136
PRO SE

V.

Defendant**Trident Seafoods Corporation**

represented by **Molly Kate Mullen**
Fisher Phillips
200 South Orange Avenue
Suite 1100
Orlando, FL 32801
4075410853
Email: mmullen@fisherphillips.com
ATTORNEY TO BE NOTICED

Defendant

Abel Hernandez
Factory Manager

represented by **Molly Kate Mullen**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Olvin Hernandez
Foreman (Production Manager)


represented by **Molly Kate Mullen**
(See above for address)
ATTORNEY TO BE NOTICED



Defendant

Pedro Buena
Foreman (Production Manager)

represented by **Molly Kate Mullen**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/05/2026	35	ORDER. Plaintiff's Motion (DE 33) is GRANTED. This case is referred to the Court's Volunteer Attorney Program, where a volunteer may accept the representation on a pro bono basis if so desired.The Clerk of Court is DIRECTED to post a description of the case and contact information on the Court's website of available pro bono cases

		seeking volunteer lawyers. If the representation is accepted, the volunteer attorney shall enter an appearance in the case and thereafter will be eligible for reimbursement of reasonable litigation expenses according to the Court's Reimbursement Guidelines for Volunteer Counsel. Motions terminated: 33 MOTION Legal Help Authorization filed by Humberto Gonzalez Consuegra. Signed by Judge Kathleen M. Williams on 2/5/2026. <i>See attached document for full details.</i> (nan) (Entered: 02/05/2026)
02/04/2026	34	NOTICE to the Courts of Leave for Travel by Humberto Gonzalez Consuegra (nan) (Entered: 02/05/2026)
02/04/2026	33	MOTION for Legal Help Authorization by Humberto Gonzalez Consuegra. Responses due by 2/18/2026. (nan) (Entered: 02/05/2026)
02/04/2026	 32	MOTION to Stay re 21 MOTION TO DISMISS 20 Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM <i>Motion to Stay Discovery</i> by Pedro Buena, Abel Hernandez, Olvin Hernandez, Trident Seafoods Corporation. Responses due by 2/18/2026. (Mullen, Molly) (Entered: 02/04/2026)
02/02/2026	31	SUPPLEMENT to 27 Response/Reply (Other) by Humberto Gonzalez Consuegra (nan) (Entered: 02/02/2026)
01/13/2026	30	SCHEDULING ORDER: (Jury Trial set for 1/11/2027 in Miami Division before Judge Kathleen M. Williams., Calendar Call set for 1/5/2027 11:00 AM in Miami Division before Judge Kathleen M. Williams.) Signed by Judge Kathleen M. Williams on 1/13/2026. <i>See attached document for full details.</i> (kpe) Pattern Jury Instruction Builder - To access the latest, up to date changes to the 11th Circuit Pattern Jury Instructions go to <u>https://pji.ca11.uscourts.gov</u> or <u>click here.</u> (Entered: 01/13/2026)
01/06/2026	29	NOTICE of Filing Joint Proposed Scheduling Order & Joint Conference Report by Humberto Gonzalez Consuegra (nan) (Entered: 01/06/2026)
01/06/2026	28	Defendant's SCHEDULING REPORT - Rule 26(f) by Pedro Buena, Abel Hernandez, Olvin Hernandez, Trident Seafoods Corporation (Attachments: # 1 Text of Proposed Order Defendants Unilateral Proposed Scheduling Order)(Mullen, Molly) (Entered: 01/06/2026)
12/31/2025	27	RESPONSE to Defendants Response to the Motion to Dismiss 25 Response in Opposition to Motion, by Humberto Gonzalez Consuegra. (nan) (Entered: 12/31/2025)
12/22/2025	26	PAPERLESS ORDER REFERRING MOTION. THIS MATTER is before the Court <i>sua sponte</i> . Pursuant to 28 U.S.C. § 636 and the Magistrate Rules of the Local Rules for the Southern District of Florida, Plaintiffs Motion to Dismiss (DE 23) is REFERRED to Magistrate Judge Eduardo I. Sanchez for a report and recommendation. Signed by Judge Kathleen M. Williams on 12/22/2025. (ah06) (Entered: 12/22/2025)
12/22/2025	25	RESPONSE in Opposition re 23 MOTION to Dismiss 21 MOTION TO DISMISS 20 Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM <i>Defendants Response in Opposition to Plaintiffs Motion to Dismiss Defendants Motion to Dismiss</i> filed by Pedro Buena, Abel Hernandez, Olvin Hernandez, Trident Seafoods Corporation. Replies due by 12/29/2025. (Mullen, Molly) (Entered: 12/22/2025)

12/16/2025	24	<p>PAPERLESS ORDER. THIS MATTER is before the Court <i>sua sponte</i>. On or before January 6, 2026, the Parties shall file a joint conference report and a joint proposed scheduling order, as required by S.D. Fla. Local Rule 16.1(b).</p> <p>Signed by Judge Kathleen M. Williams on 12/16/2025. (ah06) (Entered: 12/16/2025)</p>
12/08/2025	 23	<p>PLAINTIFF'S MOTION to Dismiss 21 MOTION TO DISMISS 20 Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM by Humberto Gonzalez Consuegra. Responses due by 12/22/2025. (nan) (Entered: 12/08/2025)</p>
11/24/2025	22	<p>PAPERLESS ORDER REFERRING MOTION. THIS MATTER is before the Court <i>sua sponte</i>. Pursuant to 28 U.S.C. § 636 and the Magistrate Rules of the Local Rules for the Southern District of Florida, Defendant's Motion to Dismiss (DE 21) is REFERRED to Magistrate Judge Eduardo I. Sanchez for a report and recommendation.</p> <p>Signed by Judge Kathleen M. Williams on 11/24/2025. (ah06) (Entered: 11/24/2025)</p>
11/24/2025	 21	<p>MOTION TO DISMISS 20 Amended Complaint/Amended Notice of Removal FOR FAILURE TO STATE A CLAIM by Pedro Buena, Abel Hernandez, Olvin Hernandez, Trident Seafoods Corporation. Responses due by 12/8/2025. (Attachments: # 1 Exhibit A - Declaration of Laura Schmidt, # 2 Exhibit B - Employment Agreement, # 3 Exhibit C - Declaration of Pedro Bueda, # 4 Exhibit D - Declaration of Abel Hernandez, # 5 Exhibit E - Declaration of Olvin Hernandez)(Mullen, Molly) (Entered: 11/24/2025)</p>
11/10/2025	20	<p>AMENDED COMPLAINT against Pedro Buena, Abel Hernandez, Olvin Hernandez, Trident Seafoods Corporation filed in response to Order Granting Motion for Leave, filed by Humberto Gonzalez Consuegra.(nan) (Entered: 11/10/2025)</p>
10/15/2025	19	<p>NOTICE of Inquiry by Humberto Gonzalez Consuegra re 16 Clerk's Notice of Reassignment of Case,, 15 Order on Motion to Reassign Case, (nan))(A copy of the Order, DE# 15 was mailed to the Plaintiff.) (Entered: 10/15/2025)</p>
10/09/2025	18	<p>PAPERLESS ORDER denying as moot 10 Motion to Dismiss for Failure to State a Claim; denying as moot 12 Motion for Default Judgment per DE 17. Signed by Judge Kathleen M. Williams on 10/9/2025. (ah06) (Entered: 10/09/2025)</p>
10/09/2025	17	<p>PAPERLESS ORDER REQUIRING AMENDED COMPLAINT. THIS MATTER is before the Court <i>sua sponte</i>. Upon review of the Complaint, the Court finds that Plaintiff's Complaint constitutes an impermissible shotgun pleading under <i>Weiland v. Palm Beach Cnty. Sheriff's Off.</i>, 792 F.3d 1313, 1320 (11th Cir. 2015).</p> <p>Accordingly, it is ORDERED AND ADJUDGED that on or before November 10, 2025, Plaintiff shall file an amended complaint that complies with the pleading requirements of Rules 8(a) and 10(b) of the Federal Rules of Civil Procedure. Each of his claims shall be set forth in a separate, numbered paragraph using short and plain statements, with numbered paragraphs stating the violation as to each defendant, and why the relief requested should be granted.</p> <p>The Court cautions Plaintiff to plead only facts that are tethered to a viable cause of action against each Defendant. The Court also advises the Plaintiff to review the substantive deficiencies identified by Defendants in their Motion to Dismiss (DE 10) and to make sure all of those defects are properly addressed in his amended pleading to the extent he can, in good faith, set forth facts that state a viable claim for relief.</p>

		<p>Furthermore, Plaintiff must sufficiently plead that jurisdiction and venue are proper before this Court.</p> <p>Failure to comply with this Order will result in dismissal of this case without further notice.</p> <p>Signed by Judge Kathleen M. Williams on 10/9/2025. (ah06) (Entered: 10/09/2025)</p>
10/07/2025	16	<p>CLERK'S NOTICE OF REASSIGNMENT OF CASE. Case reassigned to Judge Kathleen M. Williams and Magistrate Judge Eduardo I. Sanchez for all further proceedings. Magistrate Judge Eduardo I. Sanchez no longer assigned to case as presider.</p> <p>Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (nan) (Entered: 10/07/2025)</p>
10/06/2025	15	<p>ORDER granting 14 Defendants' Unilateral Motion for Case Reassignment to a District Judge. Pursuant to Administrative Order 2025-11, the Clerk is hereby ORDERED to randomly reassign this case to a district judge. Signed by Magistrate Judge Eduardo I. Sanchez on 10/6/2025. <i>See attached document for full details.</i> (ab05) (Entered: 10/06/2025)</p>
10/06/2025	14	<p>MOTION to Reassign Case <i>Defendants' Unilateral Motion for Case Reassignment to a District Judge</i> by Pedro Buena, Abel Hernandez, Olvin Hernandez, Trident Seafoods Corporation. (Attachments: # 1 Exhibit A - Letter to Pro Se Plaintiff)(Mullen, Molly) (Entered: 10/06/2025)</p>
09/29/2025	13	<p>Notice and Consent to Jurisdiction US Magistrate Judge NOT SIGNED by all parties. Filed by Humberto Gonzalez Consuegra (nan) (Entered: 09/29/2025)</p>
09/29/2025	12	<p>MOTION for Default Judgment by Humberto Gonzalez Consuegra. (nan) (Entered: 09/29/2025)</p>
09/22/2025	11	<p>ORDER Regarding Magistrate Consent Jurisdiction and Opt-Out Procedure. Signed by Magistrate Judge Eduardo I. Sanchez on 9/22/2025. <i>See attached document for full details.</i> (ab05) (Entered: 09/22/2025)</p>
09/22/2025	10	<p>MOTION TO DISMISS 1 Complaint 42 USC 1983 or Bivens FOR FAILURE TO STATE A CLAIM by Pedro Buena, Abel Hernandez, Olvin Hernandez, Trident Seafoods Corporation. Attorney Molly Kate Mullen added to party Pedro Buena(pty:dft), Attorney Molly Kate Mullen added to party Abel Hernandez(pty:dft), Attorney Molly Kate Mullen added to party Olvin Hernandez(pty:dft). Responses due by 10/6/2025. (Attachments: # 1 Exhibit A - Declaration of Laura Schmidt, # 2 Exhibit B - Employment Agreement, # 3 Exhibit C - Declaration of Pedro Bueda, # 4 Exhibit D - Declaration of Abel Hernandez, # 5 Exhibit E - Declaration of Olvin Hernandez) (Mullen, Molly) (Entered: 09/22/2025)</p>
09/18/2025	9	<p>NOTICE of Inquiry by Humberto Gonzalez Consuegra (nan) (Docket sheet mailed) (Entered: 09/19/2025)</p>
07/29/2025	8	<p>NOTICE of Attorney Appearance by Molly Kate Mullen on behalf of Trident Seafoods Corporation. Attorney Molly Kate Mullen added to party Trident Seafoods Corporation(pty:dft). (Mullen, Molly) (Entered: 07/29/2025)</p>

07/24/2025	<u>7</u>	Letter re Clarification of Court Fees and Motion for IFP from Humberto Gonzalez Consuegra (nan) (Entered: 07/24/2025)
07/10/2025	<u>6</u>	ORDER denying <u>3</u> Plaintiff's Motion for Leave to Proceed <i>in forma pauperis</i> . Signed by Magistrate Judge Eduardo I. Sanchez on 7/10/2025. <i>See attached document for full details.</i> (ab05) (Entered: 07/10/2025)
07/08/2025	<u>5</u>	Summons Issued as to Pedro Buena, Abel Hernandez, Olvin Hernandez, Trident Seafoods Corporation. (nan) (Entered: 07/08/2025)
07/08/2025	<u>4</u>	Clerk's Notice of Receipt of Filing Fee received on 7/8/2025 in the amount of \$405.00, receipt number FLS304138. (jes) (Entered: 07/08/2025)
07/01/2025	<u>3</u>	MOTION for Leave to Proceed in forma pauperis by Humberto Gonzalez Consuegra. (ebz) (Entered: 07/01/2025)
07/01/2025	2	Judge Assignment to Magistrate Judge Eduardo I. Sanchez. (ebz) (Entered: 07/01/2025)
07/01/2025	<u>1</u>	Complaint pursuant to Bivens against Pedro Buena, Abel Hernandez, Olvin Hernandez, Trident Seafoods Corporation. Filing fee \$ 405.00. IFP Filed, filed by Humberto Gonzalez Consuegra. (Attachments: # <u>1</u> Civil Cover Sheet)(ebz) (Entered: 07/01/2025)