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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Secretary of Labor, United States Department
of Labor,

Plaintiff,

v.

Valley Wide Plastering Construction
Incorporated, et al.,

Defendants.

No. CV-18-04756-PHX-GMS
ORDER

The Court held a status conference with the parties on Friday, May 13, 2022 to determine whether the Court should appoint an independent monitor or impose a coercive fine as part of its sanctions against Defendants for civil contempt. (Doc. 242.) The Court now orders the following:

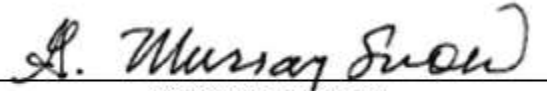
IT IS HEREBY ORDERED that Plaintiff’s request for the appointment of an independent monitor is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff’s request for a coercive fine is **GRANTED** in part. The preliminary injunction, (Doc. 123), as modified by the Court’s Order at Doc. 242, is additionally modified as follows:

If Defendants continue to keep false or non-contemporaneous records of the daily and weekly hours worked by employees, the Court will order Defendants to pay a fine of \$1,000 to the Court for each employee for each workweek when hours were not recorded as required. The fine shall be limited to a maximum of \$10,000 per week. Plaintiff shall

1 submit all alleged violations, if any, to the Court by Motion every three months. Upon
2 receipt of Plaintiff's quarterly Motion, if any, the Court will, if necessary, order a hearing
3 where Defendants can be heard. After Defendants have been given the chance to respond,
4 the Court will determine the amount of the fine, if any, that the Court finds appropriate
5 based on the limitations in this Order. If the Court orders that a fine be paid, Plaintiff shall
6 have fourteen days to request any attorneys' fees and investigative costs incurred in
7 bringing the Motion and investigating compliance. Defendants will pay such costs if the
8 Court, in its discretion, finds that such costs are warranted under the circumstances.

9 Dated this 26th day of May, 2022.

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12 G. Murray Snow
13 Chief United States District Judge
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