

U.S. DEPARTMENT OF LABOR
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

JULIE SU, ACTING SECRETARY OF)	
LABOR, UNITED STATES DEPARTMENT)	Case No. 1:21-CV-208-BLW
OF LABOR,)	
)	
Plaintiff,)	CONSENT JUDGMENT
)	
v.)	
)	
HOUSE OF HOUNDS, LLC and KAYLA)	
MARTIN,)	
)	
Defendants.)	

Plaintiff has filed his Complaint and Defendants, without admitting the truth of the allegations therein, have answered and have agreed to the entry of this Consent Judgment and Order without contest. It is, therefore, upon motion of both parties, and for cause shown:

ORDERED, that Defendants, their officers, agents, servants, employees and those persons in active concert or participation with them be and hereby are enjoined and restrained from violating the provisions of the Occupational Safety and Health Act of 1970, (29 U.S.C. §651 *et. seq.*, (“the Act”)) and specifically 29 U.S.C. §660(c)(1) (“§11(c)(1)”) of the Act in any of the following manners:

Defendants shall not, contrary to §11(c)(1) of the Act, in any manner discriminate against any employee working for Defendants because said employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to the Act or has testified or is about to testify in any such proceeding or because of said employee’s exercise of any right afforded by the Act on behalf of himself/herself or others. This injunction shall remain in place for a period of two (2) years, unless extended by the Court. It is further

ORDERED, that Defendants shall, no later than thirty days following the approval of this Consent Judgment, pay Ashley Holmes the sum of \$8,750.00 in general damages; and it is further

ORDERED, that Defendants shall, no later than thirty days following the approval of this Consent Judgment, pay Malia Vineyard the sum of \$8,750.00 in general damages, and it is further

ORDERED, that Defendants shall, no later than thirty days following the approval of this Consent Judgment, pay Ashley Holmes the sum of \$8,750.00 in punitive damages; and it is further

ORDERED, that Defendants shall, no later than thirty days following the approval of this Consent Judgment, pay Malia Vineyard the sum of \$8,750.00 in punitive damages; and it is further

ORDERED that Defendants no later than October 15, 2023, pay Malia Vineyard the sum of \$2,500.00 in general damages, and;

ORDERED that Defendants no later than October 15, 2023, pay Ashley Holmes the sum of \$2,500.00 in general damages, and;

ORDERED that Defendants no later than November 15, 2023, pay Malia Vineyard the sum of \$2,500.00 in general damages, and;

ORDERED that Defendants no later than November 15, 2023, pay Ashley Holmes the sum of \$2,500.00 in general damages, and;

ORDERED that Defendants no later than December 15, 2023, pay Malia Vineyard the sum of \$2,500.00 in general damages, and;

ORDERED that Defendants no later than December 15, 2023, pay Ashley Holmes the sum of \$2,500.00 in general damages, and;

ORDERED, that these damages be paid as non-wages; and it is further

ORDERED that Defendants will issue a public apology to Ashley Holmes and Malia Vineyard from Kayla Martin's personal Facebook account. The apology will read: "Kayla Martin and House of Hounds would like to extend a public apology to Ashley Holmes and Malia Vineyard for their separation from House of Hounds in June 2020. Both Ashley and Malia served House of Hounds' management and customers admirably and with professionalism .

House of Hounds is committed to treating all employees fairly and in compliance with all local,

state, and federal laws.” Kayla Martin’s Facebook post will “tag” House of Hounds; and it is further

ORDERED that Defendants will expunge any adverse references from Ashley Holmes’ personnel records, if any, including all computerized data systems, relating to Ms. Holmes’ separation and will provide a neutral job reference in any future requests for employment references that consists only of the dates of Ms. Holmes’ employment, salary, job duties, and date of separation; and it is further

ORDERED that Defendants will expunge any adverse references from Malia Vineyard’s personnel records, if any, including all computerized data systems, relating to Ms. Vineyard’s separation and will provide a neutral job reference in any future requests for employment references that consists only of the dates of Ms. Vineyard’s employment, salary, job duties, and date of separation; and it is further

ORDERED that Kayla Martin shall sign the Notice of Rights attached as **Exhibit A** to this Consent Judgment and shall post it at the House of Hounds establishment and at Fluffs & Friends in Salt Lake City, Utah once Fluffs & Friends is open for business. The posting shall be in an area which is easily visible and accessible to all employees. The Notice of Rights shall remain posted for a period of not less than sixty days; and it is further

ORDERED that Kayla Martin shall sign the Notice of Rights attached as **Exhibit A** to this Consent Judgment, and shall mail a copy of the Notice of Rights individually to each employee in Defendants’ employ as of January 20, 2022. A copy of the executed Notice of Rights shall be provided to each new employee who begins employment with Fluffs & Friends after September 20, 2023, and any other business in which Kayla Martin has any ownership and/

or supervisory interest which employs employees after September 20, 2023 for a period of not less than five years; and it is further

ORDERED that Kayla Martin shall, within 90 days of the entry of this Order, schedule an OSHA-approved whistleblower rights training for all managers and supervisors for each business in which she has any ownership and/or supervisory interest. An “OSHA-approved whistleblower rights training” is either training from an OSHA Authorized Outreach Training Provider (whether in person or on-line), or, if not using an OSHA Authorized Outreach Training Provider, submission to OSHA of the curricula of whistleblower rights training and securing OSHA’s approval of such curricula. Submission to OSHA shall be to: Megan Eldridge, Regional Supervisory Whistleblower Investigator: eldridge.megan@dol.gov; and it is further

ORDERED that each party shall bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.



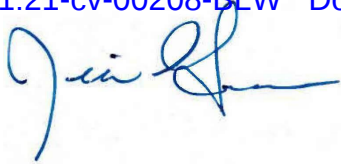
DATED: **October 02, 2023**

A handwritten signature in black ink, appearing to read "B. Lynn Winmill".

B. Lynn Winmill
U.S. District Court Judge

Presented by:

UNITED STATES DEPARTMENT OF LABOR
Marc A. Pilotin,
Regional Solicitor

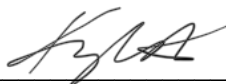


By _____
Jeannie Gorman, Senior Trial Attorney

Dated: _____ September 21, 2023 _____

Entry of this Consent Judgment and Order is hereby Consented

to: **KAYLA MARTIN**

By  _____

Kayla Martin, individually and on behalf of her
current interest in House of Hounds, LLC

Dated: _____ 9/20/2023 _____