

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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JULIE A. SU, Acting Secretary of Labor,  
United States Department of Labor,

:

Case No. 23-cv-21616

:

Plaintiff,

v.

:

NOVA PRODUCE INSPECTION SERVICES LLC;  
CHRISTIAN ROJAS, individually; and KARINA  
ROJAS, individually,

:

:

Defendants.  
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**TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW  
CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUED**

Upon consideration of the Plaintiff's Ex Parte Motion for a Temporary Restraining Order,  
and all supporting papers, it is

**ORDERED**, that the above named Defendants show cause before a motion term of this  
Court, at Room 4A, Mitchell H. Cohen Building & U.S. Courthouse, 4<sup>th</sup> and Cooper  
Streets, Camden, New Jersey, on November, 14, 2023, at 1:30  
o'clock P.m., or as soon thereafter as Defendants may be heard, why an order should not be issued  
pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the Defendants, their  
officers, employees, agents, and all persons acting in active concert or participation during the  
pendency of this action from:

1. Violating the provisions of section 15(a)(3) of the Fair Labor Standards Act ("Act");
2. Terminating or threatening to terminate the employment, reducing hours or threatening to reduce hours, intimidating, coercing, threatening, or retaliating or discriminating against employees in any other way, based on Defendants' belief that such employee has complained about pay or engaged in any other protected activity under the Act;

3. Terminating or threatening to terminate the employment, reducing hours or threatening to reduce hours, intimidating, coercing, threatening, or retaliating or discriminating against their current and former employees in any other way, based upon Defendants' belief that such employee has cooperated with the Department of Labor ("Department");
4. Obstructing the Department's investigation in any way;
5. Telling any workers not to cooperate with the Department's representatives; telling any workers to provide incomplete or false information to the Department's representatives; or questioning workers about their cooperation or communications with the Department's representatives;
6. Communicating with any employee regarding the Department's investigation without first informing the employee, in writing and in the employee's primary language, that employees may communicate with the Department and its representatives voluntarily and free from coercion, and that employees cannot be discriminated against or retaliated against for communicating with the Department's representatives; and
7. Terminating any employee without providing at least seven days' notice to the Department's Wage and Hour Division prior to any termination; and

**IT IS FURTHER ORDERED** that, sufficient reason having been shown therefor, pending the hearing of Plaintiff's application for a preliminary injunction, pursuant to Fed. R. Civ. P. 65, the Defendants, their officers, employees, agents, and all persons acting in active concert or participation are temporarily restrained and enjoined from:

1. Violating the provisions of section 15(a)(3) of the Act;
2. Terminating or threatening to terminate the employment, reducing hours or threatening to reduce hours, intimidating, coercing, threatening, or retaliating or discriminating against their employees in any other way, based on Defendants' belief that such employee has complained about pay or engaged in any other protected activity under the Act;
3. Terminating or threatening to terminate the employment, reducing hours or threatening to reduce hours, intimidating, coercing, threatening, or retaliating or discriminating against their current and former employees in any other way, based upon Defendants' belief that such employee has cooperated with the Department;
4. Obstructing the Department's investigation in any way;

5. Telling any workers not to cooperate with the Department's representatives; telling any workers to provide incomplete or false information to the Department's representatives; or questioning workers about their cooperation or communications with the Department's representatives;
6. Communicating with any employee regarding the Department's investigation without first informing the employee, in writing and in the employee's primary language, that employees may communicate with the Department and its representatives voluntarily and free from coercion, and that employees cannot be discriminated against or retaliated against for communicating with the Department's representatives; and
7. Terminating any employee without providing at least seven days' notice to the Department's Wage and Hour Division prior to any termination; **and**

**IT IS FURTHER ORDERED** that, sufficient reason having been shown therefor, pending the hearing of Plaintiff's application for a preliminary injunction, pursuant to Fed. R. Civ. P. 65, the Defendants, their officers, employees, agents, and all persons acting in active concert or participation shall be required as follows, within seven days of the date of this Order to Show Cause:

1. Defendants shall allow representatives of the Department to read aloud in English, Spanish, and any other language as necessary to be understood by Defendants' employees, during employees' paid working hours, the following statement to all employees employed by Defendants, and in the presence of a supervisor or manager:

**You are protected by the Fair Labor Standards Act and have the right to participate freely in the U.S. Department of Labor's investigation into your employer's pay practices. You have the right to speak freely with investigators, attorneys, or other officials from the Department of Labor. Your employer is prohibited from retaliating against you in any way, including by terminating you, reporting you to immigration, or threatening to do any of these things because you spoke with the Department of Labor.**

**The U.S. District Court for the District of New Jersey has ordered Nova Produce Inspection Services LLC, Christian Rojas, and Karina Rojas and anyone acting on their behalf to cease coercing, retaliating against, threatening to retaliate against, intimidating, or attempting to influence or in any way threatening employees for providing information to the Department of Labor.**


2. Defendants shall mail a hard copy of the above statement, in English, Spanish, and other language as necessary to be understood by Defendants' employees, to all current and former employees at their last known addresses, along with contact information for representatives of the Secretary (to be provided by the Secretary's representatives).

**IT IS FURTHER ORDERED** that on or before November 7, 2023,

Defendants may file and serve any papers in opposition to the Plaintiff's request for a preliminary injunction. On or before November 10, 2023, Plaintiff may file and serve any reply in support of Plaintiff's request for a preliminary injunction.

**IT IS FURTHER ORDERED** that personal service of a copy of this order, the annexed declarations and memorandum of law upon the Defendants or counsel on or before \_\_\_\_\_, 5 o'clock in the p.m. November 1, 2023, shall be deemed good and sufficient services thereof.

DATED: October 31, 2023  
Camden, New Jersey

  
KAREN M. WILLIAMS  
UNITED STATES DISTRICT JUDGE