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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HELIX ELECTRIC, INC.

Plaintiff,

v.

DIVISION OF LABOR STANDARDS
ENFORCEMENT, an agency of the State of
California; DEPARTMENT OF
INDUSTRIAL RELATIONS, an agency of the
State of California; DONNA DELL, an
individual in her capacity as Labor
Commissioner of the State of California;
JOHN REA, an individual in his capacity as
Acting Director of the Department of
Industrial Relations of the State of California;
COUNTY OF SACRAMENTO, PUBLIC
WORKS COMPLIANCE PROGRAM,

Defendants.

CASE NO. 05-cv-2303 FCD KJM

**TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE RE
ENTRY OF PRELIMINARY
INJUNCTION**

Date:
Time:
Courtroom:
Judge:

This matter came before the Court, the Honorable Frank C. Damrell Jr. presiding,
on motion by plaintiff Helix Electric, Inc. ("Helix"), for entry of a temporary restraining order and
order to show cause re preliminary injunction against defendants Division Of Labor Standards
Enforcement, Department Of Industrial Relations, Donna Dell (in her capacity as Labor
Commissioner Of The State Of California), John Rea (in his capacity as Acting Director Of The
Department Of Industrial Relations Of The State Of California), County Of Sacramento, and

1 Public Works Compliance Program ("Defendants"). Upon receipt of the motion, the court
2 attempted to contact by telephone counsel for all defendants. However, it was only able to reach
3 counsel for plaintiff, Richard M. Freeman and counsel for defendant County of Sacramento, John
4 H. Dodds. Said counsel appeared telephonically for a hearing at approximately 3:00 p.m.
5

6 After carefully considering the papers filed in support of the motion, and considering
7 defendant County's non-opposition to the motion expressed at the telephonic hearing, the court
8 hereby ORDERS that a temporary restraining order shall be and hereby is issued as follows:

9
10 Pending a hearing on the order to show cause re: entry of a preliminary injunction,
11 Defendants, and their agents, servants, employees, attorneys, and all persons in active
12 concert and/or participation with them who receive notice, and each of them, are enjoined
13 and restrained from: Providing the addresses of Helix's employees to PWCP or any related
14 entity pursuant to Labor Code section 1776(e).
15

16 IT IS ORDERED that no bond is required by plaintiff.

17
18 IT IS FURTHER ORDERED that Defendants appear before this court in Courtroom 2 on
19 December 2, 2005 at 10:00 a.m., to show cause why a preliminary injunction should not be issued
20 enjoining Defendants from engaging in the actions described above, pending trial on the merits of
21 this action. Any and all opposition papers must be filed and served by Defendants no later than
22 November 29, 2005. Reply papers shall be filed and served by Helix no later than December 1,
23 2005, at 12:00 p.m.
24

25 November 22, 2005

/s/ Frank C. Damrell Jr.

26 3:45 p.m.

U.S. District Judge