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14 **UNITED STATES DISTRICT COURT**
 15 **CENTRAL DISTRICT OF CALIFORNIA**

16 HARRIETT MITCHELL, JASON
 17 SUMMERS, and JOSEPH ADAMS,
 18 individually, on behalf of others similarly
 19 situated, and on behalf of the general
 20 public,

21 Plaintiffs,

22 vs.

23 CORELOGIC VALUATION
 24 SOLUTIONS, INC., and DOES 1-10,
 25 inclusive

26 Defendant(s).

Case No. 8:17-cv-02274-DOC-DFMx

**TEMPORARY RESTRAINING
 ORDER AND ORDER TO
 SHOW CAUSE WHY A
 PRELIMINARY INJUNCTION
 SHOULD NOT ISSUE**

1 This matter came before the Court on Plaintiffs’ application for a temporary
2 restraining order under Federal Rule of Civil Procedure 65 and Section 17 of the Fair
3 Labor Standards Act of 1938 (“FLSA”), 29 U.S.C. § 217, for a temporary restraining
4 order (“TRO”), and an order to show cause why a preliminary injunction should not
5 issue enjoining Defendant CoreLogic from intimidating, threatening, and retaliating
6 against Defendant’s current employees for their participation in this action, in
7 violation of the anti-retaliation provisions of the FLSA.
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10 On December 29, 2017, Plaintiff filed suit against Defendant for failure to pay
11 overtime in violation of the FLSA, and claims under California labor law. The Third
12 Amended Complaint seeks declaratory and injunctive relief, as well as damages.
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14 In support of their application, Plaintiffs presented evidence demonstrating
15 that after the Court granted conditional certification, Defendant made phone calls to
16 interview Plaintiff Adams as well as other current employees who had opted into the
17 case and submitted declarations in support of Plaintiffs’ motion for conditional
18 certification. CoreLogic takes the position that despite the anti-retaliation provision
19 of the FLSA, it has the prerogative to discipline and terminate its employees for
20 reporting off-the-clock work and may communicate with its employees as a First
21 Amendment right.
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25 Plaintiffs, having presented evidence in support of the temporary restraining
26 order, and good cause for its issuance having been shown, the Court **GRANTS** the
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1 motion for a temporary restraining order and sets a hearing on the motion for a
2 preliminary injunction.

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4 **ORDER TO SHOW CAUSE**

5 **TO DEFENDANT CORELOGIC:**

6 **YOU ARE HEREBY ORDERED TO SHOW CAUSE** on March 11, 2019,
7 at 8:30 a.m. in the courtroom in the United States District Court for the Central
8 District of California, Southern Division, Courtroom 9D, located at the Ronald
9 Reagan Federal Building and U.S. Courthouse, 411 West 4th Street, Santa Ana, CA,
10 92701, if there be any good cause why a preliminary injunction shall not issue to
11 enjoin the conduct set forth below under the Temporary Restraining Order.
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13 Defendant shall file any written response to the Motion for Temporary
14 Restraining Order and Order to Show Cause, if necessary, by February 28, 2019.

15 Plaintiffs shall file any reply by March 7, 2019.

16 The parties may file a stipulation obviating the need for a preliminary
17 injunction hearing.
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20 **TEMPORARY RESTRAINING ORDER**

21 **PENDING THE HEARING** on Plaintiffs' preliminary injunction, the Court
22 hereby **ENJOINS** Defendant CoreLogic, attorneys, employees, and all those in
23 active concert or participation with Defendant as follows:
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25 1. Defendant is enjoined from terminating or threatening to terminate, or
26 retaliating or discriminating against employees who are participants in this lawsuit
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1 in any way, based on Defendant's knowledge of an employee's participation in or
2 statements given in support of this case;

3 2. Within one week of this Order, Defendant shall transmit the following
4 statement to all CoreLogic appraisers, informing them of their right to speak with
5 Plaintiffs' counsel and join this case free from retaliation or threats of retaliation or
6 intimidation by Defendant:
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8
9 You are protected by the Fair Labor Standards Act and have the
10 right to participate freely in the lawsuit regarding overtime
11 wages, *Mitchell, et al. v. CoreLogic*, brought by Plaintiffs'
12 counsel Bryan Schwartz Law. Your employer is prohibited
13 from retaliating against you in any way because of your
14 participation in the case, including any statements you may
15 make as part of the case.

16
17 CoreLogic will not coerce, retaliate against, threaten to retaliate
18 against, intimidate, or attempt to influence or in any way
19 threaten employees for participating in this lawsuit.

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21 **IT IS SO ORDERED.**

22 Dated this 22nd day of February, 2019.

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DAVID O. CARTER
UNITED STATES DISTRICT COURT JUDGE