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10 UNITED STATES DISTRICT COURT
 11 CENTRAL DISTRICT OF CALIFORNIA
 12 WESTERN DIVISION
 13

14 R. ALEXANDER ACOSTA, SECRETARY
 15 OF LABOR, UNITED STATES
 DEPARTMENT OF LABOR,

Case No.: 2:18-cv-4098-ODW-SK

16 Plaintiff,

~~PROPOSED~~ PRELIMINARY
INJUNCTION

18 GINGER GREEN, INC., a corporation; AQUA
 19 FASHION, INC., a corporation; CHANG LEE,
 an individual; HYE KYUNG LEE, an
 20 individual; HAE LEE, an individual; GILSU
 PARK, an individual; JE FASHION, INC., a
 21 corporation; KYU YOUNG YOO, an
 22 individual,

23 Defendants.

24
 25 This matter came before the Court on the application of the United States
 26 Secretary of Labor for a temporary restraining order under Federal Rule of Civil
 27 Procedure 65 and Section 17 of the Fair Labor Standards Act of 1938 (“FLSA”), 29
 28 U.S.C. § 217, and an order for Defendants Ginger Green, Inc. (“Ginger G”), Aqua

1 Fashion, Inc. (“Aqua”), JE Fashion, Inc. (“JE”), Chang Lee, Hye Kyung Lee, Hae Lee,
2 Gilsu Park, and Kyu Young Yoo to show cause why a preliminary injunction should not
3 issue enjoining them from violating the hot goods and investigative provisions of the
4 FLSA, 29 U.S.C. §§ 215(a)(1), 211(a).

5 On May 18, 2018, the Court issued a Temporary Restraining Order (ECF No. 10)
6 and an Order to Show Cause Why a Preliminary Injunction Should Not Issue (ECF No.
7 11). On May 30, 2018, the Court held oral argument.

8 Defendants failed to show cause why a preliminary injunction should not issue.
9 Thus, the Court **GRANTS** the preliminary injunction as follows:

10 1. Defendants Aqua and JE are enjoined and restrained from shipment of all
11 goods for two weeks to allow the Secretary to determine that goods were produced in
12 compliance with the FLSA.

13 2. Defendants are enjoined and restrained from shipment of all Ginger G
14 goods until Ginger G provides sufficient records to allow the Secretary to determine, and
15 the Secretary does determine, that goods were produced in compliance with the FLSA,
16 including all documents responsive to the April 20, 2018 Subpoena, open purchase
17 orders including those for HJ Fashion, Inc., production sheets, records showing all
18 payments made in the last three months, and records showing garments produced outside
19 the United States. The Secretary shall make his determination within two weeks of
20 receiving Ginger G’s records.

21 3. Defendant Chang Lee shall be available for deposition within two weeks of
22 the time that Ginger G has produced all records to the Secretary.

23 4. Defendants are enjoined and restrained from violating the provisions of
24 Section 15(a)(1) of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 215(a)(1), in
25 any of the following manners: Defendants shall not transport, ship, deliver, or sell in
26 commerce, or offer to do so, any goods produced by any employees who were not paid
27 the required minimum wage or overtime in violation of Sections 6 and 7 of the FLSA,
28 29 U.S.C. §§ 206, 207. Specifically:

- 1 a. Defendants Ginger G, Chang Lee, Hae Lee, and Hye Kyung Lee are
2 enjoined and restrained from using domestic sewing contractors to
3 produce Ginger G goods until they confirm that the contractor pays
4 employees for all hours worked, regular and overtime, at the rates
5 prescribed by law.
- 6 b. Defendants Ginger G, Chang Lee, Hae Lee, and Hye Kyung Lee shall
7 require all contractors with whom they do business to maintain accurate
8 time records, production records, piece rate records and payroll records
9 on the contractor's premises and submit those records on a weekly basis.
- 10 c. Defendants Ginger G, Chang Lee, Hae Lee, and Hye Kyung Lee shall
11 hire an independent monitor, such as Worker Rights Consortium, to
12 monitor all domestic contractors at least quarterly to determine its
13 contractors' compliance with the FLSA. Ginger G shall provide
14 monitoring reports to all Ginger G retailers, including TJX, Companies,
15 Inc., and to the Department of Labor upon request.

16 5. Defendants are enjoined and restrained from interfering with or obstructing
17 the Secretary's investigation under Section 11(a) of the FLSA, 29 U.S.C § 211(a).

18
19 IT IS SO ORDERED.

20
21 Dated this 4th day of June, 2018.

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24 
25 UNITED STATES DISTRICT JUDGE
26
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28

1 **CERTIFICATE OF SERVICE**

2
3 I hereby certify that I electronically filed the **PROPOSED**
4 **PRELIMINARY INJUCTION** with the Clerk of the Court using the CM/ECF
5 system which will send notification of such filing to the Electronic Service List for
6 this Case.

7 I further certify I served the **PROPOSED PRELIMINARY INJUCTION**
8 in a sealed envelope, via UPS, and addressed to the people hereinafter named, at
9 the places and addresses stated below:

10 Kyu Young Yoo
11 71 Spectrum Blvd.
12 Las Vegas, Nevada 89101

13 Gilsu Park
14 6600 S. Avalon Blvd., Unit B-2,
15 Los Angeles, California 90003.

16 Dated: June 1, 2018

17 By: /s/ Susan Seletsky
18 SUSAN SELETSKY