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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

PETERS' BAKERY,

Defendant.

Case No. 13-cv-04507-BLF

**ORDER TO SHOW CAUSE RE:
CONTEMPT; AND DENYING
PLAINTIFF'S REQUEST FOR STAY**

[Re: ECF 154]

To DEFENDANT PETERS' BAKERY:

YOU ARE HEREBY ORDERED to appear on January 7, 2016, at 9:00 a.m., in the courtroom of the Honorable Beth Labson Freeman, located at 280 South 1st Street, San Jose, CA 95113, to show cause, if any you have, why you should not be adjudged in contempt of court for disobeying the Order issued by this Court on July 22, 2015, which provided that "Defendant is ENJOINED from terminating Ms. [Marcela] Ramirez's employment pending resolution of this lawsuit or until further order of the Court," by instructing Ms. Ramirez's supervisor to remove Ms. Ramirez from the work schedule and not schedule her for any employment shifts after December 31, 2015.

Defendant shall file a written response to the Order to Show Cause on or before 12:00 p.m. on January 4, 2016. Plaintiff may file a reply on or before 12:00 p.m. on January 6, 2016.

If Defendant is found in contempt of the Court's prior preliminary injunction order, Defendant may be sanctioned up to \$1,000 per day in addition to any back pay lost by Ms. Ramirez.

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Plaintiff's request for a stay is DENIED. The legal remedy of back pay is adequate to compensate Plaintiff for any lost hours.

IT IS SO ORDERED.

Dated: December 24, 2015



BETH LABSON FREEMAN
United States District Judge