

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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DAVID E. LEACH III,  
Regional Director of Region 22  
Of the National Labor Relations Board  
For and on behalf of the  
National Labor Relations Board,

Petitioner,

v.

ACTION CARS ON 9, LLC D/B/A  
ACTION CHEVROLET OF FREEHOLD

Respondent

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Civil No. 15-

**ORDER GRANTING TEMPORARY INJUNCTION**

This case was heard on the verified Petition of David E. Leach III, Regional Director of Region 22 of the National Labor Relations Board (herein called the Board), for and on behalf of the Board, for a temporary injunction pursuant to Section 10(j) of the National Labor Relations Act, as amended, 29 U.S.C. §160(j) (herein called the Act), pending final disposition of the matters now before the Board in Case 22-CA-140881, and upon the issuance of an Order to Show Cause why injunctive relief should not be granted as prayed in said Petition.

The Court, upon consideration of the pleadings, evidence, memoranda, argument of counsel and the entire record in the case, has found and concluded

that there is reasonable cause to believe that Respondent Action Cars on 9, LLC d/b/a Action Chevrolet of Freehold has engaged in and is engaging in acts and conduct in violation of Section 8(a)(1) and (5) of the Act, and that the requested temporary injunctive relief pursuant to Section 10(j) of the Act is just and proper in this case.

Now, therefore, upon the entire record it is ORDERED that pending the final disposition of the proceeding before the Board, Respondent, its officers, agents, servants, employees and attorneys and all persons acting in concert of in participation with them shall be and are hereby:

1. ENJOINED AND RESTRAINED, in any manner or by any means, from:
  - a. Failing and refusing to recognize and bargain with Local 355, United Service Workers Union, IUJAT (herein called the Union), as the exclusive collective bargaining representative of its bargaining unit employees;
  - b. Making unilateral changes to terms and conditions of employment of its bargaining unit employees or failing to abide by the parties' extant collective-bargaining agreement;
  - c. In any like or related manner, interfering with, restraining, or coercing its bargaining unit employees in the exercise of their Section 7 rights.
2. ORDERED to take the following affirmative action to restore the

*status quo ante* within fifteen (15) days of the issuance of this Order:

- a. Recognize the Union as the exclusive collective bargaining agent of its bargaining unit employees;
- b. Restore the terms and conditions of employment of the bargaining unit employees as reflected in the collective bargaining agreement that expired on February 28, 2015;
- c. Upon request, engage in good faith bargaining with the Union or its agents over the terms and conditions of employment of its bargaining unit employees;
- d. Should the parties reach agreement on the terms of a collective bargaining agreement for the bargaining unit employees, reduce that agreement to writing and execute the agreement;
- e. Post copies of the District Court's Order at the Freehold, New Jersey facility where notices to employees are customarily posted, said posting to be maintained during the Board's administrative proceedings free from all obstructions and defacements;
- f. Read aloud the District Court's Order to bargaining unit employees at a mandatory meeting or meetings on working time at a time or times scheduled to insure maximum attendance, or have a Board Agent read the Order in the presence of a responsible management official;

g. File with the Court, within twenty (20) days of the issuance of the District Court's Decision and Order, with a copy submitted to the Regional Director of Region 22 of the Board, a sworn affidavit from a responsible official of Respondent, setting forth with specificity the terms of this decree, including how and when it posted the document required by this Order.

Done at Newark, New Jersey this      day of                      , 2015.

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UNITED STATES DISTRICT JUDGE  
District of New Jersey