

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF DETROIT, *et al.*,

Defendants.

Hon. Sean F. Cox

Case No. 77-71100

**F I L E D**  
**OCT 01 2012**  
CLERK'S OFFICE  
DETROIT

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

This matter having come before the Court on Detroit Water and Sewerage Department's ("DWSD's") Verified Motion For Preliminary And Permanent Injunction And Other Relief Necessary To Protect The Public Safety And The Environment, Enforce The Clean Water Act And Effectuate and Prevent Frustration Of This Court's Orders (the "Verified Motion") seeking interim and permanent injunctive relief with respect to a threatened strike or work stoppage (the "Strike") by AFSCME Council 25, AFSCME Local 207, and AFSCME Local 2920 (collectively hereinafter the "Unions"), which are unions representing DWSD employees, the Court having read the Verified Motion, Brief in Support of the Verified Motion, and being otherwise fully advised in the premises, the Court finds that to prevent injury to the public interest and safety, enforce the Clean Water Act, and effectuate and prevent the frustration of orders lawfully issued by this Court, an injunction pending a hearing on DWSD's Verified Motion is necessary:

IT IS HEREBY ORDERED that DWSD's Verified Motion for temporary restraining Order be and hereby is granted and the Unions, their members employed by DWSD, and any and

all persons acting in concert with them are hereby ENJOINED from engaging in any of the following activities:

1. Engaging or participating in the Strike;
2. Obstructing, preventing or unlawfully interfering with DWSD or any of its employees or any other person or persons from entering DWSD property and/or the Wastewater Treatment Plant ("WWTP");
3. Unlawfully trespassing on DWSD property;
4. Committing any acts of force, violence, assault or battery at or near DWSD and/or the WWTP against any of DWSD's officers, agents, representatives, employees or any persons having business at the WWTP and/or DWSD;
5. Committing any acts of vandalism or destruction of the property of DWSD or its officers, agents, representatives, employees or any other persons having business with DWSD;
6. Failing to report to work or conduct work in accordance with DWSD personnel and attendance policies; and
7. Authorizing, causing, inducing, conducting, continuing or engaging in any acts, threats, obstructions, interferences and hindrances that interfere with DWSD business operations or otherwise breach the peaceful operation of and activities at the DWSD and/or WWTP or that constitute an immediate threat to a breach of such peace, including any act that interferes with or threatens any other person, entity or employer or the regular activities of any other person, entity or employer.

IT IS FURTHER ORDERED that the Court hereby finds and declares that (a) the job duties performed by DWSD employees represented by the Unions perform job duties that impact

the safety of the public and (b) the threatened Strike by such employees will harm the safety of the public.

IT IS FURTHER ORDERED that the Unions appear before this Court on the 11<sup>th</sup> day of October, 2012 at 10:00 o'clock in the am before the Honorable Sean F. Cox at United States District Court for the Eastern District of Michigan, Southern Division, Detroit, Michigan, to answer DWSD's Verified Motion and to show cause why this Court should not issue a preliminary injunction in this matter.

IT IS FURTHER ORDERED that any written response to DWSD's Verified Motion for Preliminary Injunction shall be filed and served by no later than Oct 8, 2012. at 4:00 pm

This Order issued on this 10<sup>th</sup> day of October, 2012 at 8:25 o'clock.

Sean F. Cox  
Sean F. Cox  
United States District Judge