

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

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JULIE A. SU, Acting Secretary of Labor, )  
U.S. Department of Labor, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
LIFELINE, INC. and )  
RHODA MAKINDE, an individual )  
 )  
Defendants. )

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Civil Action No.8:24-cv-02345

**STIPULATED PRELIMINARY INJUNCTION AND ORDER**

Plaintiff, Julie A. Su, the Acting Secretary of Labor, United States Department of Labor (“Acting Secretary”) and Lifeline, Inc. and Rhoda Makinde (collectively “Defendants) have agreed to resolve the Acting Secretary’s Motion for Preliminary Injunction related to the alleged violations of Section 15(a)(3) and 11(a) of the Fair Labor Standards Act (“FLSA” or the “Act”), 29 U.S.C. § 215(a)(3) and 29 U.S.C. § 211(a). Pursuant to Rule 65 of the Federal Rules of Civil Procedure and Section 17 of the Act, 29 U.S.C. § 217, the Parties consent to the entry of this stipulated preliminary injunction in accordance herewith:

It is hereby ORDERED, ADJUGED, and DECREED that:

1. Defendants are preliminary enjoined from violating Sections 11(a) and 15(a)(3) of the Fair Labor Standards Act, 29 U.S.C. §§ 211(a) and 215(a)(3).

2. Defendants and their agents are enjoined from interrogating, inquiring about or discussing with any employees or former employees about any employees' or former employees' potential or actual communications with the Acting Secretary or other agents of the Department of Labor.

3. Defendants and their agents are enjoined from requiring employees to sign time or pay records containing false, misleading, or inaccurate information.

4. Defendants shall not retaliate, take any adverse action, or threaten to take any adverse action, against any current or former employee because the employee asserted their rights under the Fair Labor Standards Act.

5. Defendants and their agents are enjoined from communicating with any employee between the date of this Order and any hearings arising from this action for the purposes of investigating Acting Secretary's claims, preparing a defense, gathering evidence, or executing declarations, without first informing the employee, in writing, about 1) the nature and existence of this action, 2) that such communications are voluntary, and 3) that employees cannot be discriminated or retaliated against in any way.

6. Defendants shall not tell any workers not to cooperate with the Acting Secretary's representatives; instruct any workers to provide incomplete or false information to the Acting Secretary's representatives; or question workers about their cooperation or communications with the Acting Secretary's representatives.

7. Defendants shall post the notice attached hereto as Exhibit A informing their employees that they will not retaliate against employees for asserting their rights under the FLSA, including by speaking to representatives of the Acting Secretary of Labor and that employees are free to provide whatever information the employee chooses to provide. Defendants shall post this

Notice in conspicuous places in its office location(s) where employees can reasonably be expected to view this Notice also provide printed copy to each of its employees. The Notice must also be sent to employees by mail and by electronic mail (where available in Defendants' records), with a copy to the Acting Secretary's designated representative. If certain employees are unable to read the Notice, Defendants shall translate the Notice for its employees, as necessary, at its expense.

8. Defendants shall, prior to terminating any employee for any reason, provide a written notice to the Wage and Hour Division of the U.S. Department of Labor at least seven days prior to any termination.

9. Any applicable statute of limitations are hereby tolled from March 18, 2024, through the date on which the Notice referenced in the previous paragraph is distributed to employees.

10. This Stipulated Preliminary Injunction is limited to Acting Secretary's request for a preliminary injunction for the allegations of violations of Sections 15(a)(3) and 11(a), 29 U.S.C. § 215(a)(3) or 29 U.S.C. § 211(a), and is not intended to and does not resolve any claim for the other relief related to the alleged violations as set forth in the Acting Secretary's Complaint or any claim the Acting Secretary may bring for back wages, liquidated damages, and other relief in the future.

11. The preliminary injunction shall remain in effect until the Court orders otherwise.

12. The parties shall file a joint status report regarding the status of the case within 30 days of the date of this Order.

SO ORDERED,

Dated: August 19, 2024

/s/

\_\_\_\_\_  
PAULA XINIS  
UNITED STATES DISTRICT JUDGE

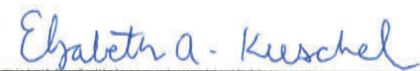
**For the Acting Secretary:**

SEEMA NANDA  
Solicitor of Labor

SAMANTHA N. THOMAS  
Regional Solicitor

Channah M. Broyde  
Associate Regional Solicitor

Elizabeth A. Kuschel  
Acting Counsel for Wage and Hour



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ELIZABETH A. KUSCHEL  
Senior Trial Attorney  
PA Bar I.D. No. 318537

*Attorneys for Plaintiff Julie A. Su,  
Acting Secretary of Labor*

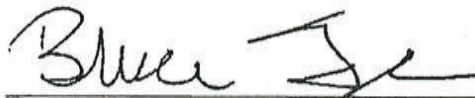
**For Defendants LIFELINE, INC. and  
RHODA MAKINDE, an individual**



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Rhoda Makinde  
*Owner of Lifeline, Inc.*

**For Defendants LIFELINE, INC. and  
RHODA MAKINDE, an individual**



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Bruce Fein  
Law Offices of Bruce Fein

*Attorney for Lifeline, Inc. and Rhoda Makinde*

# **EXHIBIT A**

**NOTICE TO EMPLOYEES**

You are protected by the Fair Labor Standards Act and have the right to participate freely in the U.S. Department of Labor's investigation into your employer's workplace practices and employment conditions. You have the right to speak freely with investigators, attorneys, or other officials from the Department of Labor. There is no limitation on the topics that you may discuss with the Department of Labor. Your employer is not permitted to ask you whether you have spoken with the Department of Labor. Your employer and any person acting on behalf of your employer are prohibited from retaliating against you in any way, including by threatening harm to you or your families, terminating you, reporting you to immigration, or threatening to do any of these things because you spoke with the Department of Labor. These protections apply to current and former employees.

I have enclosed a copy of Fact Sheet 77A for your review.

U.S. Department of Labor  
Wage and Hour Division



(December 2011)

## Fact Sheet # 77A: Prohibiting Retaliation Under the Fair Labor Standards Act (FLSA)

*This fact sheet provides general information concerning the FLSA's prohibition of retaliating against any employee who has filed a complaint or cooperated in an investigation.*

The Wage and Hour Division of the Department of Labor administers and enforces the FLSA, the federal law of most general application concerning wages and hours of work. All covered nonexempt employees must be paid not less than the current federal minimum wage for all hours worked and overtime pay, at time and one half the regular rate, for all hours worked over 40 in a workweek. The Wage and Hour Division investigates FLSA violations through its complaint-based and directed investigation programs.

### Prohibitions

Section 15(a)(3) of the FLSA states that it is a violation for *any person* to “**discharge or in any other manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act, or has testified or is about to testify in any such proceeding, or has served or is about to serve on an industry committee.**”

Employees are protected regardless of whether the complaint is made *orally* or *in writing*. Complaints made to the Wage and Hour Division are protected, and **most courts have ruled that internal complaints to an employer are also protected.**

### Coverage

Because section 15(a)(3) prohibits “any person” from retaliating against “any employee”, the protection applies to all employees of an employer even in those instances in which the employee’s work and the employer are not covered by the FLSA.

For additional information on FLSA Coverage, please visit Fact Sheet 14 at <http://www.dol.gov/whd/regs/compliance/whdfs14.htm>.

Section 15(a)(3) also applies in situations where there is no current employment relationship between the parties; for example, it protects an employee from retaliation by a former employer.

### Enforcement

Any **employee** who is “**discharged or in any other manner discriminated against**” because, for instance, he or she has filed a complaint or cooperated in an investigation, may file a retaliation complaint with the Wage and Hour Division or may file a private cause of action seeking appropriate remedies including, but not limited to, employment, reinstatement, lost wages and an additional equal amount as liquidated damages.

### Where to Obtain Additional Information

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

**U.S. Department of Labor**  
Frances Perkins Building  
200 Constitution Avenue, NW  
Washington, DC 20210

**1-866-4-USWAGE**  
TTY: 1-866-487-9243  
[Contact Us](#)

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