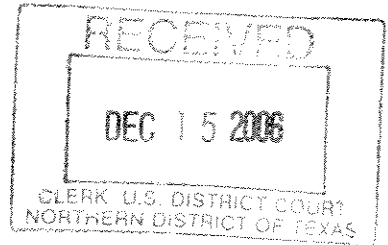


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



UNITED FOOD & COMMERCIAL WORKERS §
INTERNATIONAL UNION LOCAL 540 §
the labor union and as NEXT FRIEND §
OF FRANCISCO MATTA, ANGELA §
DAVIDSON, JOSE ACOSTA, DAVID GARZA, §
TED QUINTANILLA, ZAVIER HERNANDEZ, §
HERMAN GARCIA, JOHNATHAN RIVERA, §
RITA VILLAREAL, ANDREA JIMENEZ, §
JUAN CUARDADA, LINDA FALERO and §
HECTOR ORTIZ, and others similarly §
situated, §

Plaintiffs, §

v §

IMMIGRATION AND CUSTOMS §
ENFORCEMENT DIVISION OF THE §
DEPARTMENT OF HOMELAND §
SECURITY, JULIE L. MYERS, THE UNITED §
STATES DEPARTMENT OF LABOR and §
ELAINE L. CHAO, §

Defendants, §

Case No. 2-06CV-350-J

TEMPORARY RESTRAINING ORDER AND TO SHOW CAUSE WHY

PRELIMINARY INJUNCTION SHOULD NOT ISSUE

[F.R.C.P. Rule 65(a)]

Upon the annexed Application for Temporary Restraining Order of the Plaintiff, United Food and Commercial Workers International Union Local 540 (UFCW) the labor union and on behalf of all detainees and upon the Annexed Affidavits the originals of which are attached to the Complaint to which reference is herewith made verifying his Complaint and certain other facts, let the Defendants, Immigration and Customs Enforcement Division of the Department of Homeland Security, Julie L. Meyers The United States Department of Labor, and Elaine L. Chao, show cause before this Court, to be heard at the United States Courthouse, Room _____, Amarillo, Texas, on

COPY

the ____ day of _____, 200__, at _____ o'clock _____.M., or as soon thereafter as counsel can be heard, why a preliminary injunction should not be entered enjoining the Defendants, and each of them, and their agents, employees, servants and/or attorneys, whichever, from proceeding with the detention of the detainees without benefit of counsel, legal advice concerning their legal rights, depriving detainees of access to union representation and the concerted effort to intercept detainees earned paychecks.

AND IT APPEARING TO THE COURT that the Defendants are proceeding with the detention removal and holding the detainees incommunicado, as set forth in Plaintiff's Complaint, Affidavit and Motion for an Injunction and will carry out such acts unless restrained by this Court; and it FURTHER APPEARING that immediate and irreparable injury, loss and damage will result to Plaintiff and detainees before Notice can be given to the Defendants and a hearing can be had upon Plaintiff's Application for Temporary Restraining Order and before Defendants and their attorneys can be heard in opposition, in that, the Defendants seek to ignore further Plaintiff's Constitutional rights, to seek further to deny detainees of their civil liberties and §7 rights and to deprive them access to counsel, intercept their paychecks, and further in failing to advise them of their rights and refusing to allow the detainees access to union representation denying the detainees Constitutional rights are involved and to circumvent Plaintiff's only remedy, in this Honorable Court, is to seek injunction relief and provide access to counsel.

ORDERED that pending the hearing and determination of this Application, or the expiration of ten (10) days from the date hereof, whichever shall first occur, the Defendants, Immigration and Customs Enforcement Division of the Department of Homeland Security, Julie L. Meyers The United States Department of Labor, and Elaine L. Chao, their agents and representatives and each or any of them, be and they are hereby restrained from proceeding with further detaining incommunicado the detainees without access to counsel and union representation or prosecuting the detainees criminally and deporting them. It is Ordered that all detainees be retained in this Court's jurisdiction and if they have been removed from the Courts' jurisdiction it is Ordered they be returned instanter.

It is FURTHER ORDERED that service of a copy of this Order to Show Cause and Affidavits annexed hereto shall be made upon the said Defendants and upon the Attorney General of the United States on or before the ____ day of _____, 2006 by ____ o'clock, _____.M.

Dated at Amarillo, Texas, on _____, 2006

Honorable Mary Lou Robinson
Judge, United States District Court
Northern District of Texas