

# Jury Finds TempWorks, Dourgarian Guilty. Again.

It seems oddly fitting that I would sit down and pen this article today 8th December, 2015. It was exactly one year ago 8th December 2014, that I sat anxiously in a court room in Minneapolis waiting to take the stand and begin the trial and the process of holding TempWorks accountable for what they did to me. Ultimately, I was vindicated. Not only did the judge hold TempWorks financially accountable, but in the process she found that President & CEO David Dourgarian, COO Mari Kautzman and Exec VP Casey Kraus all gave testimony under oath that was 'not credible'. That's 'judge speak' for lying. That's the way I interpret that, anyway.

If you've read any of my work this is old news. Since getting the judgment in writing I have embarked upon a journey to expose TempWorks to the staffing industry and (hopefully) save other companies from experiencing what so many of us have experienced. I have been accused of 'beating a dead horse', being 'a crack-pot' and (I'm certain) other things privately that I don't want to know and would dare not repeat. Here's the thing, though: the very first time someone called me to personally say 'thank you' for potentially saving their company or to just say 'thank you for what you are doing' nothing that anyone ever said, or ever will say, about me personally matters in the least. If repeating myself or attempting to interject levity into my writings lead

some readers to form a negative opinion of me, so be it. I am nowhere near stopping.

One of the reasons that I will continue is that there seems to be a never-ending stream of new material for me to report to the industry. As some of you may know, I have eluded to a trial involving TempWorks for a few months. That trial happened in November in Minnesota. TempWorks, once again, was found guilty of illegally breaching their contract. But even more than that was what the jury found with regard to President & CEO David Dourgarian, COO Mauri Kautzman, (former) TMS Staffing CEO Doug Green and TempWorks Management.

- **President & CEO David Dourgarian** was found **GUILTY** of **making FALSE statements** to a third party about (his client), and that the statements were **the type that tend to injure (client's) credit, property or business.**
- **COO Mari Kautzman** was found **GUILTY** of **making FALSE statements** about (client).
- **(former) TMS Staffing CEO Doug Greene** was found **GUILTY** of **making FALSE statements** about (client).

- **(TEMPWORKS MANAGMENT)** was found **GUILTY** of **making FALSE** statements to a **third party** about (client), and that the statements were **the type that tend to injure (client's) credit, property or business.**
- In addition, the statements made by **David Dourgarian** were found **NOT** to have been made upon a proper occasion, from a proper motive, and based upon a reasonable or probable cause.
- The statements made by **David Dourgarian** were found to have been **made with ACTUAL MALICE.**
- **David Dourgarian** was found **GUILTY OF DEFAMATION!** He was personally ordered to pay restitution.

Let that sink in. REALLY sink in. A client tells TempWorks that they have found an option with another vendor that will provide the same level of service(s) for less money. Proper notice of an intent to vacate the contract was given. What does TempWorks do? Dispatches members of the executive team to Miami to immediately open a branch

of their own staffing company, TMS Staffing, and whose own President & CEO tells the companies who are working with their client that '(client) is going out of business' and 'not to worry, we're going to open a staffing agency and we can transition everything over no problem'. Of course, just like all of TempWorks other clients, nobody knew anything about TMS Staffing being nothing more than an assumed name of TempWorks Management Services, Inc. It was all false and done simply to attempt to take business from a client who found a better deal with another vendor. You would be wise to remember that if you are planning to enter into a contract with TempWorks.

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You've seen me for months warn the industry about just how diabolical and dishonest TempWorks is. If this isn't an apt illustration of that then I'm not certain what it might take to convince you! Is this acceptable to the staffing industry? Is this level of dishonesty and deceit simply 'par for the course'? I refuse to believe it is.

It would be very remiss of me to fail to mention the recent *Best in Biz 2015* award that TempWorks garnered. I don't know much about this award. From the private messages and emails I've gotten, apparently this is something that a company pays a fee to nominate themselves for. Makes sense. It's a marketing play. I did find it somewhat ironic that in an article penned by Mr. Dourgarian about the award, two of the people pictured with him in the accompanying photo and praised by name in the article were Casey Kraus and Mari Kautzman. These are three people that, in 2015 alone, were found to have lied under oath in

one trial and two of whom were found to have lied about their client to further their own business in another. This doesn't even account for the other 2015 trial that was kept out of court by settlement. I'm not saying that the award folks didn't do any due diligence, but I am saying that if this is representative of "The Best in Biz" then God help us all!