

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDUARDO MURILLO, et al.,

Plaintiffs,

v.

TRION PROPERTIES, INC., et al.,

Defendants.

Case No. [16-cv-06278-VC](#)

**ORDER REQUESTING  
SUPPLEMENTAL BRIEFING**

Re: Dkt. No. 3

The defendants' opposition to the application for a temporary restraining order did not (presumably because of the tight deadline) fully address the merits of the plaintiffs' claims. Accordingly, the defendants are directed to file a supplemental brief addressing the merits, including the following questions:

Does the plaintiffs' legal and evidentiary presentation raise serious questions relating to the merits of their claims for intentional discrimination based on race, age or source of income?

Does the plaintiffs' legal and evidentiary presentation raise serious questions relating to the merits of their disparate impact claims? What evidence of disproportionate impact does the law require to state a prima facie claim of disparate impact? Are the disparate impact claims relevant to this application for a temporary restraining order? Are the disparate impact claims ripe?

Does the plaintiffs' legal and evidentiary presentation raise serious questions relating to the merits of their "discriminatory statements" claims? Are these claims relevant to this application for a temporary restraining order? Does a "discriminatory statement" – particularly one allegedly demonstrating an age-based preference – even give rise to a claim? If so, do these

plaintiffs have standing to bring it?

The defendants' supplemental brief is due November 14, 2016, and should not exceed 20 pages. The plaintiffs may file a response to the supplemental brief, also not to exceed 20 pages, by November 18, 2016.

**IT IS SO ORDERED.**

Dated: November 7, 2016



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VINCE CHHABRIA  
United States District Judge