

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: CV 16-01810

Date: October 7, 2016

Title: United Poultry Concerns v. Chabad of Irvine et al.

Present: The Honorable ANDRÉ BIROTTE JR.

Carla Badirian
Deputy Clerk

N/A
Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None Appearing

None Appearing

Proceedings: [In Chambers] Order Granting Ex Parte Application for a Temporary Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not Issue

Before the Court is an Ex Parte Application for a Temporary Restraining Order (“TRO”) filed by Plaintiff United Poultry Concerns (“Plaintiff”). (Dkt. No. 11.) Defendants Chabad of Irvine (“Defendants”) have not filed an Opposition. The Court will resolve the TRO application without oral argument. Based on the current record, the Court finds that the Plaintiff has satisfied the requirements for a temporary restraining order and therefore **GRANTS** the application.

IT IS HEREBY ORDERED that, pending a hearing for determination of an Order to Show Cause Why a Preliminary Injunction Should Not Issue, Defendant Chabad of Irvine and all of its respective agents, employees, or attorneys, shall be and hereby are **RESTRAINED AND ENJOINED** from killing chickens or other animals in exchange for a fee or donation in violation of California Penal Code section 597(a) until this matter can be heard on regular notice, except for one of the purposes allowed in California Penal Code

section 599c, which provides:

No part of this title shall be construed as interfering with any of the laws of this state known as the "game laws," or any laws for or against the destruction of certain birds, nor must this title be construed as interfering with the right to destroy any venomous reptile, or any animal known as dangerous to life, limb, or property, or to interfere with the right to kill all animals used for food, or with properly conducted scientific experiments or investigations performed under the authority of the faculty of a regularly incorporated medical college or university of this state. CAL. PEN. CODE § 599c.

The Court hereby **SETS** a hearing on the Order to Show Cause Why a Preliminary Injunction Should Not Issue for **Thursday, October 13, 2016, at 10:00 a.m.** The Defendant's opposition/reply is due no later than Tuesday, October 11, 2016 at 8:00 a.m.

Dated: October 7, 2016



HONORABLE ANDRÉ BIROTTE JR.
UNITED STATES DISTRICT COURT JUDGE