

Legal Updates & News

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Morrison & Foerster Secures Court Victory for Ralphs and Food-4-Less Grocery Stores, Limiting Disruptive Political Protests on Their Premises

August 2009

Morrison & Foerster LLP won injunctive relief for Ralphs and Food-4-Less, which are owned by retail supermarket giant The Kroger Company, in a case against activist group LaRouche Political Action Committee. The injunction granted on August 18, 2009, by the Los Angeles Superior Court prevents the disruptive activities of LaRouche from taking place on Ralphs and Food-4-Less premises.

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Since June 2009, LaRouche volunteers have been staging political protests against national healthcare policies at Ralphs and Food-4-Less locations, armed with posters depicting President Barack Obama as a Nazi. In many cases, the volunteers have accosted grocery store customers while blocking fire lanes and walkways, maintaining their right to do so on the basis of *Pruneyard Shopping Center v. Robins*, the 30-year-old Supreme Court case holding the California Constitution affords free speech rights in certain large-scale shopping malls.

In order to protect their clients' stores and customers, Morrison & Foerster argued that the Ralphs and Food-4-Less premises do not provide the same public forum for expressive activity that the locations in *Pruneyard* do. The court agreed, and granted the preliminary injunction, barring activists from Ralphs and Food-4-Less premises for expressive activity, including those premises situated in retail strip developments.