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August 17, 2026

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## WLF Asks Appeals Court to Vacate Order Treating Ordinary Age-Targeted Ads as Civil-Rights Violations (*Google LLC v. Superior Court of Santa Clara County*)

***“The order below converts rational marketing into a civil-rights offense and chills protected commercial speech.”***

— Cory Andrews, WLF General Counsel & Vice President of Litigation

WASHINGTON, DC—Washington Legal Foundation (WLF) today asked California’s Sixth District Court of Appeal to grant Google’s petition for a writ of mandate. WLF contends that the superior court’s order wrongly turns commonplace age-based advertising into civil-rights violations under the Unruh Act that threaten every California business with crushing statutory damages.

The case arises from a putative class action alleging that Google violated the Unruh Civil Rights Act by allowing advertisers to target insurance and banking ads by age. On June 11, 2026, the Superior Court of Santa Clara County overruled Google’s demurrer. The court held that seniors who did not receive certain ads stated a claim for age discrimination based on Google’s provision of neutral targeting tools.

In its amicus letter urging mandamus, WLF argues that the Unruh Act forbids only arbitrary or invidious discrimination, not rational commercial distinctions based on age. The superior court misapplied caselaw and undermined Section 230 by treating Google’s neutral tools as collaborative of discriminatory ads. Left standing, the order chills protected commercial speech, strips intermediaries of vital immunity, and coerces settlements under the threat of annihilating class exposure. WLF urges the Sixth District to issue a writ directing the superior court to vacate its order and sustain Google’s demurrer.

*Celebrating its 49th year, WLF is America’s premier public-interest law firm and policy center advocating for free-market principles, limited government, individual liberty, and the rule of law.*

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