



# NEWS RELEASE

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## **Court of Appeal Holds Special Session at University of Southern California**

Los Angeles—More than 200 law students from the University of Southern California, Gould School of Law, will hear oral arguments before the Court of Appeal, Second Appellate District, Division Two, at 9 a.m. on Wednesday, March 22, 2006, Presiding Justice Roger W. Boren today announced.

The public is invited to attend this special session, to be held at the Gould School of Law, 699 Exposition Blvd., Los Angeles.

The school visit is designed to introduce first-year law students to the appellate court system. Case summaries prepared by the court will be distributed before oral argument.

The program arrangements are a collaborative effort of Presiding Justice Boren; Associate Justices Kathryn Doi Todd, Judith Meisels Ashmann-Gerst, and Victoria M. Chavez; and Dean Matthew Spitzer and Professor Jean Rosenbluth of the University of Southern California Law School.

The Second Appellate District ordinarily holds oral argument in its courtroom in the Ronald Reagan State Building, 300 South Spring Street, Los Angeles. For more information, call Joseph A. Lane, Clerk/Administrator of the Court of Appeal, at 213-830-7000.

The cases to be argued follow.

### **CASES TO BE ARGUED**

*Inman v. Superior Nissan of Puente Hills*, B182717. The issue is whether the trial court erred in granting summary judgment against appellant on her complaint for negligent entrustment of a vehicle where the parties dispute whether the driver was intoxicated.

(over)

*Payne v. City of Claremont*, B181508. The issue is whether the trial court properly denied appellants' petitions in the superior court for traditional and administrative writs of mandamus, which claimed that respondent City acted unlawfully in reducing the minimum backyard setback requirements for the Blaisdell Ranch neighborhood when it approved a neighbor's request to build a garage.

*Olson v. Auto Club of So. Cal.*, B168730. This case involves challenges to the Auto Club's election of its board of directors. After being partially successful at trial, appellants seek further relief, including monetary damages, overturning the results of the election of the directors, and requiring more detailed and extensive financial disclosures. Respondent's cross-appeal challenges the costs award.

*Scottsdale Ins. Co. v. The Law Offices of Steven Zelig*, B181761. The issues are whether respondent failed to comply with special statutory preconditions to filing a claim alleging a conspiracy between an attorney and his client, and whether its malicious prosecution claim was filed in retaliation for appellant's representation of an adversary in a prior lawsuit and should therefore be dismissed pursuant to California's anti-SLAPP statute.

*Jewett v. Capitol One*, B179794. The issue is whether the trial court properly sustained respondent's demurrer without leave to amend on the ground that appellant's claims regarding credit card solicitations were preempted by the Fair Credit Reporting Act. Appellant also challenges the trial court's restitution order.

*V. C. v. Los Angeles Unified School District*, B184022. The issue is whether the trial court properly sustained respondent's demurrer without leave to amend because appellant failed to present a timely claim as required by Government Code § 911.2, or whether Code of Civil Procedure § 340.1 was designed to delay the accrual of a minor's cause of action for childhood sexual abuse, thereby rendering appellant's claim timely.

*Gordon v. City of Santa Monica*, B177704. The issue is whether the trial court properly granted respondent's motion for a nonsuit at the conclusion of a trial involving appellant's claim that she was denied a promotion because of age and gender discrimination.

*Bacon v. Renard*, B178147. In a fraud action alleging misrepresentations about the timing of projected returns on investment in a new restaurant, the issues presented are (1) whether the trial court abused its discretion in imposing a discovery sanction that precluded appellant from defending the case and (2) whether respondents were entitled to the amount of general and punitive damages awarded.

*People v. Soto et al.*, B181094. The issues are (1) whether the element of force for carjacking must exceed the force used to take the car itself, (2) whether Penal Code § 654 limits punishment for a convicted felon with a gun when the gun possession serves as a

basis for a sentence enhancement, and (3) whether a *Blakely-Black* sentencing violation occurs when the high term is imposed without a jury's factual finding on the factor in aggravation.

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