



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
LOS ANGELES SESSION
DECEMBER 6 and 7, 2017**

FIRST AMENDED

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, Third Floor, North Tower, Los Angeles, California on December 6 and 7, 2017.

WEDNESDAY, DECEMBER 6, 2017 — 2:00 P.M.

- (1) People v. Superior Court of Riverside County (Pablo Ullisses Lara, Jr., Real Party in Interest), S241231
(*Raye, A. P. J., assigned justice pro tempore*)
- (2) People v. Garton (Todd Jesse) [Automatic Appeal], S097558
(*Poochigian, J., assigned justice pro tempore*)

THURSDAY, DECEMBER 7, 2017 — 9:00 A.M.

- (3) Heller Ehrman LLP v. Davis Wright Tremaine LLP, and Related Cases, S236208
(*Manella, J., assigned justice pro tempore*)
- (4) Alvarado (Hector) v. Dart Container Corporation of California, S232607
(*Perren, J., assigned justice pro tempore*)

CANTIL-SAKAUYE
Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

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The following case summaries are issued to inform the public about cases that the California Supreme Court has scheduled for oral argument and of their general subject matter. In most instances, the descriptions set out below are reproduced from the original news release issued when review in each of these matters was granted and are provided for the convenience of the public. The descriptions do not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.

WEDNESDAY, DECEMBER 6, 2017 — 2:00 P.M.

(1) ***People v. Superior Court of Riverside County (Pablo Ullisses Lara, Jr., Real Party in Interest), S241231 (Raye, A. P. J., assigned justice pro tempore)***

#17-165 People v. Superior Court of Riverside County (Pablo Ullisses Lara, Jr., Real Party in Interest), S241231. (E067296; 9 Cal.App.5th 753; Superior Court of Riverside County; RIF1601012.) Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. This case presents the following issue: Are the provisions of Proposition 57 that eliminated the direct filing of certain juvenile cases in adult court applicable to cases already filed? (See also related cases, *People v. Cervantes*, S241323, and *People v. Mendoza*, S241647.)

(2) ***People v. Garton (Todd Jesse), S097558 [Automatic Appeal] (Poochigian, J., assigned justice pro tempore)***

This matter is an automatic appeal from a judgment of death.

THURSDAY, DECEMBER 7, 2017 — 9:00 A.M.

(3) ***Heller Ehrman LLP v. Davis Wright Tremaine LLP, and Related Cases, S236208 (Manella, J., assigned justice pro tempore)***

#16-303 Heller Ehrman LLP v. Davis Wright Tremaine LLP, and Related Cases, S236208. (9th Cir. Nos. 14-16314, 14-16315, 14-16317, 14-16318; ___ F.3d ___, 2016

WL 4011194; Northern District of California; Nos. 3:14-cv-01236-CRB, 3:14-cv-01237-CRB, 3:14-cv-01238-CRB, 3:14-cv-01239-CRB.) Request under California Rules of Court, rule 8.548, that this court decide questions of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. As restated by the court, the question presented is: “Under California law, what interest, if any, does a dissolved law firm have in legal matters that are in progress but not completed at the time the law firm is dissolved, when the dissolved law firm had been retained to handle the matters on an hourly basis?”

(4) *Alvarado (Hector) v. Dart Container Corporation of California, S232607 (Perren, J., assigned justice pro tempore)*

#16-146 Alvarado (Hector) v. Dart Container Corporation of California, S232607.

(E061645; 243 Cal.App.4th 1200; Superior Court of Riverside County; RIC1211707.)

Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: What is the proper method for calculating the rate of overtime pay when an employee receives both an hourly wage and a flat sum bonus?