



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SACRAMENTO SESSION
FEBRUARY 5 and 6, 2019
FIRST AMENDED**

The following cases are placed upon the calendar of the Supreme Court for oral argument at its courtroom in the Stanley Mosk Library and Courts Building, 914 Capitol Mall, Sacramento, California, on February 5 and 6, 2019.

TUESDAY, FEBRUARY 5, 2019—10:00 A.M.

- (1) Black Sky Capital, LLC v. Cobb (Michael A.) et al., S243294
- (2) People v. Bell (Michael Leon), [Automatic Appeal], S080056

1:30 P.M.

- (3) People v. Dalton (Kerry Lyn), [Automatic Appeal], S046848
- (4) People v. Lara (Henry Arsenio II), S243975
- (5) People v. Sanchez (Juan), [Automatic Appeal], S087569

WEDNESDAY, FEBRUARY 6, 2019—9:00 A.M.

- (6) FilmOn.com v. DoubleVerify Inc., S244157
- (7) People v. Caro (Socorro Susan), [Automatic Appeal], S106274
- (8) Melendez (George) et al. v. San Francisco Baseball Associates LLC, S245607

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).)

**SUPREME COURT OF CALIFORNIA
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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.

TUESDAY, FEBRUARY 5, 2019—10:00 A.M.

(1) *Black Sky Capital, LLC v. Cobb (Michael A.) et al., S243294*

#17-286 Black Sky Capital, LLC v. Cobb (Michael A.) et al., S243294. (E064482; 12 Cal.App.5th 887; Superior Court of San Bernardino County; CIVDS1416584.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issue: Does Code of Civil Procedure section 580d permit a creditor that holds both a senior lien and a junior lien on the same parcel of real property arising from separate loans to seek a money judgment on the junior lien after the creditor foreclosed on the senior lien and purchased the property at a nonjudicial foreclosure sale?

(2) *People v. Bell (Michael Leon), [Automatic Appeal], S080056*

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

1:30 P.M.

(3) *People v. Dalton (Kerry Lyn), [Automatic Appeal], S046848*

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

(4) *People v. Lara (Henry Arsenio II), S243975*

#17-289 People v. Lara (Henry Arsenio II), S243975. (E065029; nonpublished opinion;

Superior Court of Riverside County; INF1302723.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. Does Penal Code section 490.2, added by Proposition 47, effective November 5, 2014, apply directly (i.e., without a petition under Penal Code section 1170.18) in trial and sentencing proceedings held after Proposition 47's effective date, when the charged offense was allegedly committed before Proposition 47's effective date?

(5) *People v. Sanchez (Juan), [Automatic Appeal], S087569*

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

WEDNESDAY, FEBRUARY 6, 2019 — 9:00 A.M.

(6) *FilmOn.com v. DoubleVerify Inc., S244157*

#17-316 FilmOn.com v. DoubleVerify, Inc., S244157. (B264074; 13 Cal.App.5th 707; Superior Court of Los Angeles County; BC561987.) Petition for review after the Court of Appeal affirmed an order granting a special motion to strike in a civil action. This case presents the following issue: In determining whether challenged activity furthers the exercise of constitutional free speech rights on a matter of public interest within the meaning of Civil Code section 425.16, should a court take into consideration the commercial nature of that speech, including the identity of the speaker, the identity of the audience and the intended purpose of the speech?

(7) *People v. Caro (Socorro Susan), [Automatic Appeal], S106274*

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

(8) *Melendez (George) et al. v. San Francisco Baseball Associates LLC, S245607*

#18-02 Melendez (George) et al. v. San Francisco Baseball Associates LLC, S245607. (A149482; 16 Cal.App.5th 339; Superior Court of San Francisco County; CGC13530672, CGC15549146.) Petition for review after the Court of Appeal reversed an order denying a motion to compel arbitration in a civil action. The court limited review to the following issue: Does plaintiffs' statutory wage claim under Labor Code section 201 require the

interpretation of a collective bargaining agreement, and is it therefore preempted by section 301 of the Labor Management Relations Act?