

Case No.: S229428

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

EILEEN CONNOR,

Plaintiff and Appellant,

v.

FIRST STUDENT, INC., et al.,

Defendants and Respondents

SUPREME COURT
FILED

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Frank A. McGuire Clerk

Deputy

After a Decision of the Court of Appeal, Case No. B256075
Second Appellate District, Division Four

Appeal from the Superior Court of Los Angeles County
Case No. JCCP 4624
Honorable John S. Wiley

**PLAINTIFF AND APPELLANT EILEEN CONNER'S MOTION
FOR JUDICIAL NOTICE; MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT; AND DECLARATION IN SUPPORT**

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MOTION FOR JUDICIAL NOTICE

Pursuant to Evidence Code sections 451, 452 and 459, as well as Rule 8.252 of the California Rules of Court, Plaintiff-Appellant Eileen Connor (“Appellant”) hereby moves the Court to take judicial notice of the documents listed below.

This motion is based upon the declarations of counsel and Jan Raymond attached hereto, and upon the supporting memorandum of points and authorities.

Exhibits A through K are true and correct copies of documents obtained by counsel for Appellant that pertain to the legislative history of the Investigative Consumer Reporting Agencies Act (“ICRAA”), Civil Code § 1786 et seq., and the Consumer Credit Reporting Agencies Act (“CCRAA”), Civil Code § 1785.1 et seq. Exhibits A through K include copies of legislative bills and legislative history, as follows:

- Exhibit A: Assembly Bill No. 600, Chapter 1271, filed with the Secretary of State on October 1, 1975 (1975 enactment of CCRAA);
- Exhibit B: Assembly Bill No. 601, Chapter 1272, filed with the Secretary of State on October 1, 1975 (1975 enactment of ICRAA);
- Exhibit C: Assembly Bill No. 601, Enrolled Bill Report, Department of Consumer Affairs (February 17, 1975);
- Exhibit D: Senate Bill No. 1454, Chapter 988, filed with the Secretary of State on September 30, 1998 (1998 amendments to ICRAA);

- Exhibit E: Senate Final History of SB 1454;
- Exhibit F: Memorandum to Legislative Counsel from Kevin Smith (December 29, 1997);
- Exhibit G: Memorandum to Members, Senate Judiciary Committee (May 4, 1998);
- Exhibit H: Letter to the Hon. Pete Wilson, Governor, from Senator Leslie re: SB 1454(September 8, 1998);
- Exhibit I: All versions of SB 1454 as introduced, amended, and finally adopted by the Legislature;
- Exhibit J: Bill analyses from the files of the Senate Committee on the Judiciary, the Office of Senate Floor Analyses; the Assembly Committee on Consumer Protection, Governmental Efficiency, and Economic Development; and the Chaptered Bill File of former Governor Pete Wilson;
- Exhibit K: Assembly Bill No. 655, Chapter 354, filed with the Secretary of State September 27, 2001.

In addition, Appellant seeks judicial notice of Exhibits L and M, which are dockets of federal court cases, as follows:

- Exhibit L: Civil Docket of *Roe v. LexisNexis Risk Solutions, Inc.*, Civ. No. 12-6284 (C.D. Cal., filed Dec. 17, 2013).
- Exhibit M: Civil Docket of *Moran v. the Screening Pros*, Court of Appeals Docket No. 12-57245 (9th Cir., filed Dec. 11, 2012).

February 18, 2016

Respectfully submitted,

FEINBERG, JACKSON, WORTHMAN
& WASOW LLP.

By: /s/ Catha Worthman

CATHA WORTHMAN, SBN 230399

**MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF PLAINTIFF-APPELLANT'S
MOTION FOR JUDICIAL NOTICE**

Pursuant to Evidence Code sections 451, 452, and 459, as well as Rule 8.252 of the California Rules of Court, Appellant moves the Court to take judicial notice of the documents contained in Exhibits A through M, attached hereto. The documents are bills of the California Legislature, legislative history of California Assembly Bill 601 of 1975 (Enactment of ICRAA) and Senate Bill Number 1454, Chapter 988 (1998 Amendments to ICRAA), as well as the dockets of two federal court cases. These documents are submitted under the declarations of Catha Worthman and Jan Raymond as true and correct copies of the originals.

Under Evidence Code section 459, appellate courts have the same power to take judicial notice as do the trial courts. Therefore, appellate courts must take judicial notice of the “(a) [t]he decisional, constitutional, and public statutory law of this state” Evid. Code § 451(a). Appellate courts also have the power to take judicial notice of “[o]fficial acts of the legislative, executive, and judicial departments . . . of any state of the United States.” Evid. Code, § 452(c). Appellate courts further have the power to take judicial notice of records of “any court of record of the United States” Evid. Code § 452(d). Judicial notice of such facts is mandatory upon request where the opposing party is permitted to raise

objections and the court has enough information to determine that the facts come within a category subject to proper judicial notice. Evid. Code § 453.

A. The Documents in Exhibits A Through M Are Properly the Subject of Judicial Notice.

Courts have taken judicial notice of the types of documents set forth as Exhibits A through M, as described below:

1. Exhibits A, B, D, and K Are Public Statutory Law Appropriate for Judicial Notice Under Evidence Code Section 451(a).

Pursuant to Evidence Code section 451(a), Appellant requests that the Court take judicial notice of the following public statutory law of California:

- Exhibit A: Assembly Bill No. 600, Chapter 1271, filed with the Secretary of State on October 1, 1975 (1975 enactment of CCRAA);
- Exhibit B: Assembly Bill No. 601, Chapter 1272, filed with the Secretary of State on October 1, 1975 (1975 enactment of ICRAA);
- Exhibit D: Senate Bill No. 1454, Chapter 988, filed with the Secretary of State on September 30, 1998 (1998 amendments to ICRAA);
- Exhibit K: Assembly Bill No. 655, Chapter 354, filed with the Secretary of State September 27, 2001, attached as Exhibit E. (2001 Amendments to ICRAA.)

Section 451(a) provides that judicial notice shall be taken of California's statutory law. Courts routinely take judicial notice of such documents. *Alford v. Superior Court* 29 Cal.4th 1033, 1040-41 (2003) (taking judicial notice of two Senate bills and Assembly amendments);

Myers v. Phillip Morris Co., 28 Cal.4th 828, 844 (2002) (taking judicial notice of amendment to Senate bill).

Appellant sought judicial notice of Exhibits A, B, D, and K before the Los Angeles Superior Court. 5 JA 22; 8 JA 29.¹ Respondents did not oppose that request. Indeed, Respondents sought judicial notice of some of the same documents. 3 JA 14.1 (Exhibits A-C); 1 JA 8 (Exhibit B). The trial court did not rule on any party's request. 10 JA 54 (Register of Action).

There is enough information for the Court to determine that Exhibits A, B, D and K are documents subject to judicial notice as the law of California, and the opposing party has had the opportunity to raise objections. Accordingly, judicial notice of these exhibits is appropriate.

2. Exhibit C and Exhibits E Through J Are Legislative History Appropriate for Judicial Notice Under Evidence Code Sections 452(a) and 452 (c).

Exhibit C and Exhibits E through J contain documents related to the legislative history of ICRAA's enactment and the 1998 amendments to ICRAA. These documents include the following:

- Exhibit C: Assembly Bill No. 601, Enrolled Bill Report, Department of Consumer Affairs (February 17, 1975);
- Exhibit E: Senate Final History of SB 1454;

¹ Citations to the Joint Appendix ("JA") are in the format # JA #, where the first number refers to the volume of the Joint Appendix and the second number refers to the tabbed divider within that volume.

- Exhibit F: Memorandum to Legislative Counsel from Kevin Smith (December 29, 1997);
- Exhibit G: Memorandum to Members, Senate Judiciary Committee (May 4, 1998);
- Exhibit H: Letter to the Hon. Pete Wilson, Governor, from Senator Leslie re: SB 1454(September 8, 1998);
- Exhibit I: All versions of SB 1454 as introduced, amended, and finally adopted by the Legislature;
- Exhibit J: Bill analyses from the files of the Senate Committee on the Judiciary, the bill file of the Office of Senate Floor Analyses; the Assembly Committee on Consumer Protection, Governmental Efficiency, and Economic Development; and the Chaptered Bill File of former Governor Pete Wilson.

Evidence Code section 452(a) provides that a court has the power to take judicial notice of, among other things “private acts . . . of the Legislature of this state.” Evidence Code section 452(c) provides that a court has the power to take judicial notice of, among other things, “[o]fficial acts of the legislative [and] executive . . . departments of . . . any state in the United States.”

Under these sections of the Evidence Code, courts appropriately take judicial notice of California legislative history including the final histories of bills, all versions of a bill, committee analyses, and statements by legislators that bear on legislative intent. *Woodbury v. Brown-Dempsey*, 108 Cal.App.4th 421, 432-33 (2003) (taking judicial notice of committee analyses and bill history); *Post v. Prati*, 90 Cal.App.3d 626, 634 (1979)

(taking judicial notice of final legislative history, testimony at public legislative hearings, and correspondence to the Governor's office from the legislative analyst, a state agency and an individual legislator); *see also California Teachers Ass'n v. San Diego Community College Dist.*, 28 Cal.3d 692, 698 (1981) ("a legislator's statement is entitled to consideration when it is a reiteration of legislative discussion and events leading to adoption of proposed amendments rather than merely an expression of personal opinion"). Under these cases, judicial notice of the above-referenced exhibits is appropriate.

Appellant and/or Respondents sought judicial notice of the above-referenced exhibits in the Los Angeles Superior Court, with no objections from the opposing party. 3 JA 14.1, 14.2; 8 JA 29.

There is enough information for the court to determine that Exhibit C and Exhibits E through J are documents subject to judicial notice as private and official acts of the California Legislature, and the opposing party has had the opportunity to raise objections. Accordingly, judicial notice of these exhibits is appropriate.

3. Exhibits L and M Are Civil Dockets of Federal Courts Appropriate for Judicial Notice.

The civil dockets in Exhibits L and M are appropriate for judicial notice, as well. Evidence Code section 452(d) provides that a court may

judicially notice records of “any court of record of the United States . . .”

Exhibits L and M are records of federal court cases, as follows:

Exhibit L: Civil Docket of *Roe v. LexisNexis Risk Solutions, Inc.*, Civ. No. 12-6284 (C.D. Cal., filed Dec. 17, 2013).

Exhibit M: Civil Docket of *Moran v. the Screening Pros*, Court of Appeals Docket No. 12-57245 (9th Cir. filed Dec. 11, 2012).

Judicial notice of these documents is appropriate under Evidence Code section 452(d). *Boeken v. Phillip Morris, Inc.*, 127 Cal.App.4th 1640, 1681 n.23 (2005) (taking judicial notice of United States Supreme Court docket on court’s own motion).

B. The Documents Are Relevant to the Issues in This Appeal.

As required by Rule 8.252 of the California Rules of Court, the exhibits for which Appellant seeks judicial notice bear on the issues raised on appeal, as reflected in citations to the documents in Appellant’s Opening Brief.

Exhibits A through K bear on arguments related to the legislative intent behind the governing statute in this case, ICRAA. Further, they bear on the legislative intent as to the overlapping relationship between ICRAA and CCRAA. These issues are central to the primary issues on appeal. Exhibits L and M are the dockets of two unpublished federal trial court decisions, cited as for the Court’s reference in relation to Appellant’s argument that these decisions are due no deference here.

C. Conclusion

For all of the foregoing reasons, Appellant respectfully moves that this Court take judicial notice of Exhibits A through M attached hereto, pursuant to Evidence Code sections 451, 452 and 459.

FEINBERG, JACKSON, WORTHMAN
& WASOW LLP.

By: /s/ Catha Worthman
CATHA WORTHMAN, SBN 230399

**DECLARATION OF COUNSEL
IN SUPPORT OF PLAINTIFF-APPELLANT'S
REQUEST FOR JUDICIAL NOTICE**

I, Catha Worthman, declare:

1. I am an attorney licensed to practice before all courts of the State of California, and a partner at Feinberg, Jackson, Worthman & Wasow LLP, attorneys of record for Plaintiff-Appellant in the above-captioned cases with co-counsel at Sundeen, Salinas & Pyle.

2. I make this statement based on my personal knowledge. I am prepared and competent to testify to the matters set forth in this declaration.

3. Attached hereto is a true and correct copy of the Declaration of Jan S. Raymond, dated October 10, 2014 ("Raymond Declaration"), containing documents relevant to legislative history of the Investigative Consumer Reporting Agencies Act ("ICRAA"), Cal. Civ. Code section 1786 et seq., and the Consumer Credit Reporting Agencies Act ("CCRAA"), Cal. Civ. Code section 1785.1 et seq.

4. Also attached hereto are copies of the following documents for which Plaintiff-Appellant has sought judicial notice. Where documents are contained in the Raymond Declaration, pagination is noted for cross-referencing purposes:

Exhibit A: Assembly Bill No. 600, Chapter 1271, filed with the Secretary of State on October 1, 1975 (1975 enactment of CCRAA);

- Exhibit B: Assembly Bill No. 601, Chapter 1272, filed with the Secretary of State on October 1, 1975 (1975 enactment of ICRAA);
- Exhibit C: Assembly Bill No. 601, Enrolled Bill Report, Department of Consumer Affairs (February 17, 1975) (Pages 1-4 of Raymond Declaration);
- Exhibit D: Senate Bill No. 1454, Chapter 988, filed with the Secretary of State on September 30, 1998 (1998 amendments to ICRAA);
- Exhibit E: Senate Final History of SB 1454 (Pages 5-6 of Raymond Declaration);
- Exhibit F: Memorandum to Legislative Counsel from Kevin Smith (December 29, 1997) (Pages 7-10 of Raymond Declaration);
- Exhibit G: Memorandum to Members, Senate Judiciary Committee (May 4, 1998) (Pages 11-14 of Raymond Declaration);
- Exhibit H: Letter to the Hon. Pete Wilson, Governor, from Senator Leslie re: SB 1454 (September 8, 1998) (Pages 15-17 of Raymond Declaration);
- Exhibit I: All versions of SB 1454 as introduced, amended, and finally adopted by the Legislature (Pages 19-69 of Raymond Declaration);
- Exhibit J: Bill analyses from the files of the Senate Committee on the Judiciary, the Office of Senate Floor Analyses; the Assembly Committee on Consumer Protection, Governmental Efficiency, and Economic Development; and the Chaptered Bill File of former Governor Pete Wilson (Pages 71-112 of Raymond Declaration);
- Exhibit K: Assembly Bill No. 655, Chapter 354, filed with the Secretary of State September 27, 2001.
- Exhibit L: Civil Docket of *Roe v. LexisNexis Risk Solutions, Inc.*, Civ. No. 12-6284 (C.D. Cal., filed Dec. 17, 2013), which I personally downloaded from PACER on October 13, 2014.

Exhibit M: Civil Docket of *Moran v. the Screening Pros*, Court of Appeals Docket No. 12-57245 (9th Cir. filed Dec. 11, 2012), which I personally downloaded from PACER on February 18, 2016.

I declare under penalty of perjury under the laws of the State of California and of the United States that the foregoing is true and correct.

Executed this 19th day of February at Oakland, California.

By: /s/ Catha Worthman

Catha Worthman
Attorney for Plaintiff-Appellant

1
2 **DECLARATION OF JAN S. RAYMOND**

3 I, Jan Raymond, declare:

4 1. I am an attorney licensed to practice by the California State Bar, State Bar number
5 88703, and admitted to practice in the United States Federal Court for the Eastern District of
6 California. My business is researching the history and intent of legislative and regulatory
7 enactments and adoptions; I have over 20 years experience in research and analysis of
8 legislative and regulatory intent. In cooperation with persons working under my supervision, I
9 undertook to research the following project. All use of the word "project" in this declaration
10 refers to legislative research addressed to this focus:

11 **Civil Code Section 1786.12 & 1786.52**
12 **As added by Chapter 1272 of 1975.**

13
14 2. At all times, all persons working on this project operated under instructions to locate
15 all documents available pertinent to this adoption. This research was compiled in the days
16 immediately prior to the date of this declaration, and reflects all the documents, and sources,
17 available during that time pertinent to this project.

18 3. The documents listed are the substantive documents collected pertinent to the history
19 of this project. The term "substantive documents" as used in the previous sentence refers to
20 those documents relevant to the scope of the project. Some documents regarding the proposal
21 related to this project may not be forwarded in this report. Documents not forwarded may
22 include fiscal analyses addressing the budgetary impact of legislation, documents addressing
23 other portions of the proposal not directly relevant to the project, documents addressing simple
24 support for or opposition to the proposal, or other documents unlikely to be helpful in
25 understanding the substantive purpose of the proposal. The complete collection of documents
26 is organized in generally chronological order and sequentially numbered.

27 4. The California Legislature historically has not regularly recorded and/or transcribed

1 committee or floor proceedings. But in recent decades, individual committees have sporadically
2 recorded, and in some cases transcribed, committee proceedings. In addition, a select few
3 committee, and many floor, proceedings since the early 1990's are available on videotape.
4 Beginning in the 2003-2004 session, an effort has been made to record almost all legislative
5 proceedings in either audio or video format, although the effort is informal rather than mandated
6 by detailed legislative rules and procedures. The recordings available in all media are uniformly
7 difficult and time-consuming to access, rarely transcribed, and rarely contain substantive
8 discussion that goes beyond the most simple and basic assertions about the legislation in
9 question. In general, the documentary history contains much more detailed discussion of the
10 intent and purpose of the bill under consideration. Therefore, this report was compiled using
11 documentary sources only.

12 5. Individual documents may appear in multiple locations or files. We endeavor to
13 obtain only one copy of the document. Where it is clearly important, we endeavor to note each
14 source of the document in this declaration. But some documents for which we cite a single
15 source may in fact have been found in multiple locations. Where this raises an issue important
16 in individual circumstances, all source locations of particular documents can be identified upon
17 request.

18 6. All documents listed are included with this declaration, except as otherwise noted in
19 this declaration. All documents included are true and correct copies of the original documents.
20 Unless otherwise noted in this declaration, all documents were obtained at one of the following
21 sources: legislative offices at the State Capitol, the California State Library, the California State
22 Archives, or libraries at the University of California at Davis. References to "bill file" as used in
23 this declaration refer to files maintained regarding the legislation that is the subject of the
24 document collection. Some documents copied from microfilm originals may be of poor quality;
25 all copies included with this report are the best available copies.
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1 Bill Analyses regarding Senate Bill 1454, from the bill file of the Chaptered Bill File of Page 107
2 former Governor Pete Wilson, six pages.

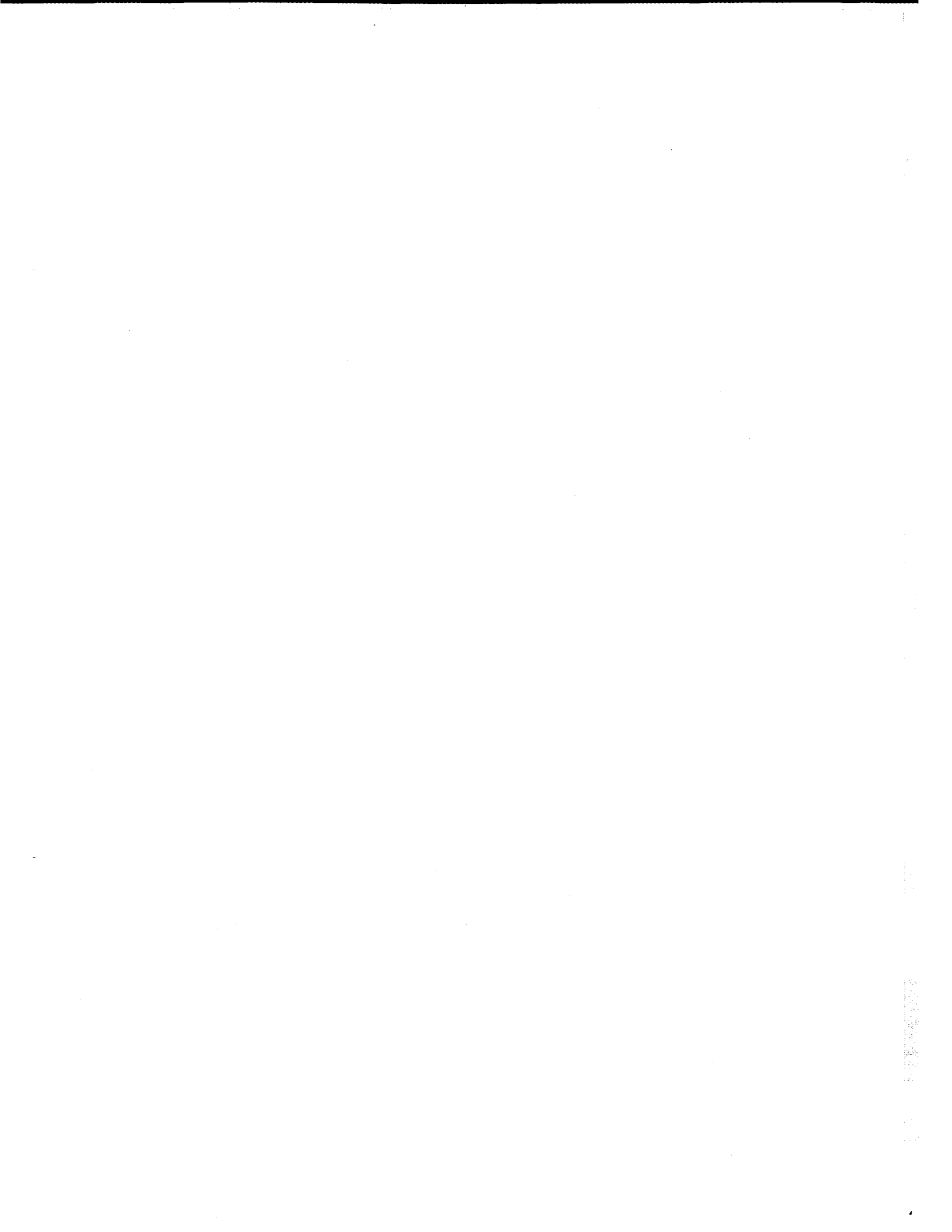
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1 **I declare under penalty of perjury the foregoing is true and correct.**

2 Executed at Sacramento, California, October 10, 2014.

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5 Jan Raymond
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Volume 2

STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

1975

Constitution of 1879 as Amended

General Laws, Amendments to the Codes, Resolutions,
and Constitutional Amendments passed by the
California Legislature

1975-76 Regular Session

1975-76 First Extraordinary Session

1975-76 Second Extraordinary Session

1975-76 Third Extraordinary Session



Compiled by
GEORGE H. MURPHY
Legislative Counsel

CHAPTER 1271

An act to add Title 1.6 (commencing with Section 1785.1) to Part 4 of Division 3 of the Civil Code, and to repeal Title 1.6 (commencing with Section 1785.1) of Part 4 of Division 3 of the Civil Code, relating to consumer reporting.

[Approved by Governor October 1, 1975 Filed with
Secretary of State October 1, 1975]

The people of the State of California do enact as follows:

SECTION 1. Title 1.6 (commencing with Section 1785.1) is added to Part 4 of Division 3 of the Civil Code, to read:

TITLE 1.6. CONSUMER CREDIT REPORTING AGENCIES
ACT

CHAPTER 1. GENERAL PROVISIONS

1785.1. The Legislature finds and declares as follows:

(a) An elaborate mechanism has been developed for investigating and evaluating the credit worthiness, credit standing, credit capacity, and general reputation of consumers.

(b) Consumer credit reporting agencies have assumed a vital role in assembling and evaluating consumer credit and other information on consumers.

(c) There is a need to insure that consumer credit reporting agencies exercise their grave responsibilities with fairness, impartiality, and a respect for the consumer's right to privacy.

(d) It is the purpose of this title to require that consumer credit reporting agencies adopt reasonable procedures for meeting the needs of commerce for consumer credit, personnel, insurance, and other information in a manner which is fair and equitable to the consumer, with regard to the confidentiality, accuracy, relevancy, and proper utilization of such information in accordance with the requirements of this title.

(e) The Legislature hereby intends to regulate consumer credit reporting agencies pursuant to this title in a manner which will best protect the interests of the people of the State of California.

1785.2. This act may be referred to as the Consumer Credit Reporting Agencies Act.

1785.3. The following terms as used in this title have the meaning expressed in this section:

(a) The term "person" means any individual, partnership, corporation, trust, estate, cooperative, association, government or governmental subdivision or agency, or other entity.

(b) The term "consumer" means a natural individual.

(c) The term "consumer credit report" means any written, oral,

or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, or credit capacity, which is used or is expected to be used, or collected in whole or in part, for the purpose of serving as a factor in establishing the consumer's eligibility for: (1) credit or insurance to be used primarily for personal, family, or household purposes, or (2) employment purposes, or (3) other purposes authorized in Section 1785.11.

The term does not include: (1) any report containing information solely as to transactions or experiences between the consumer and the person making the report, or (2) any authorization or approval of a specific extension of credit directly or indirectly by the issuer of a credit card or similar device, or (3) any report by a person conveying a decision whether to make a specific extension of credit directly or indirectly to a consumer in response to a request by a third party, if the third party advises the consumer of the name and address of the person to whom the request was made and such person makes the disclosures to the consumer required under Section 1785.20, or (4) any report containing information solely on a consumer's character, general reputation, personal characteristics, or mode of living which is obtained through personal interviews with neighbors, friends, or associates of the consumer reported on, or others with whom he is acquainted or who may have knowledge concerning any such items of information.

(d) The term "consumer credit reporting agency" means any person who, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, but does not include any governmental agency whose records are maintained primarily for traffic safety, law enforcement, or licensing purposes.

(e) The term "file" when used in connection with information on any consumer, means all of the information on that consumer recorded and retained by a consumer credit reporting agency regardless of how the information is stored.

(f) The term "employment purposes", when used in connection with a consumer credit report, means a report used for the purpose of evaluating a consumer for employment, promotion, reassignment, or retention as an employee.

1785.4. Nothing in this title shall apply to any person licensed pursuant to the provisions of Chapter 11 (commencing with Section 7500) of Division 3 of the Business and Professions Code, or to any employee of such person, unless such person is employed directly by a consumer credit reporting agency.

CHAPTER 2. OBLIGATIONS OF CONSUMER CREDIT REPORTING AGENCIES

1785.10. Every consumer credit reporting agency shall, upon request and proper identification of any consumer, allow the consumer to visually inspect all files maintained regarding such consumer at the time of the request.

(a) All items of information shall be available for inspection, including the sources of information.

(b) The consumer credit reporting agency shall also disclose the recipients of any consumer credit report on the consumer which the consumer credit reporting agency has furnished:

(1) For employment purposes within the two-year period preceding the request.

(2) For any other purpose within the six-month period preceding the request.

1785.11. A consumer credit reporting agency shall only furnish a consumer credit report under the following circumstances:

(a) In response to the order of a court having jurisdiction to issue such an order.

(b) In compliance with a lawful subpoena issued by a court of competent jurisdiction.

(c) In accordance with the written instructions of the consumer to whom it relates.

(d) To a person which it has reason to believe:

(1) Intends to use the information in connection with a credit transaction, or entering or enforcing an order of a court of competent jurisdiction for support, involving the consumer on whom the information is to be furnished and involving the extension of credit to, or review or collection of an account of, the consumer; or

(2) Intends to use the information for employment purposes; or

(3) Intends to use the information in connection with the underwriting of insurance involving the consumer, the rate for such insurance, or for insurance claims settlements; or

(4) Intends to use the information in connection with a determination of the consumer's eligibility for a license or other benefit granted by a governmental instrumentality required by law to consider the applicant's financial responsibility or status; or

(5) Otherwise has a legitimate business need for the information in connection with a business transaction involving the consumer.

1785.12. Notwithstanding the provisions of Section 1785.11, a consumer credit reporting agency may furnish to a governmental agency a consumer's name, address, former address, places of employment, or former places of employment.

1785.13. (a) Except as authorized under subdivision (b) no consumer credit reporting agency shall make any consumer credit report containing any of the following items of information:

(1) Bankruptcies which, from the date of adjudication, antedate the report by more than 14 years.

(2) Suits from the date of filing and paid judgments which from the date of entry antedate the report by more than seven years.

(3) Unpaid judgments which, from the date of entry, antedate the report by more than 10 years.

(4) Paid tax liens which, from the date of payment, antedate the report by more than seven years.

(5) Accounts placed for collection or charged to profit and loss which antedate the report by more than seven years.

(6) Records of arrest, indictment, information, misdemeanor complaint, or conviction of a crime which, from the date of disposition, release, or parole, antedate the report by more than seven years. Such items of information shall no longer be reported if at any time it is learned that in the case of a conviction a full pardon has been granted, or in the case of an arrest, indictment, information, or misdemeanor complaint a conviction did not result.

(7) Any other adverse information which antedates the report by more than seven years.

(b) The provisions of subdivision (a) are not applicable in the case of any consumer credit report to be used in the following transactions:

(1) A credit transaction involving, or which may reasonably be expected to involve, a principal amount of fifty thousand dollars (\$50,000) or more.

(2) The underwriting of life insurance, involving or which may reasonably be expected to involve, an amount of one hundred thousand dollars (\$100,000) or more.

(3) The employment of any individual at an annual salary which equals, or may reasonably be expected to equal, thirty thousand dollars (\$30,000) or more.

1785.14. (a) Every consumer credit reporting agency shall maintain reasonable procedures designed to avoid violations of Section 1785.13 and to limit furnishing of consumer credit reports to the purposes listed under Section 1785.11. These procedures shall require that prospective users of the information identify themselves, certify the purposes for which the information is sought and certify that the information will be used for no other purposes. From the effective date of this act the consumer credit reporting agency shall keep a record of the purposes as stated by the user. Every consumer credit reporting agency shall make a reasonable effort to verify the identity of a new prospective user and the uses certified by such prospective user prior to furnishing such user a consumer report. No consumer credit reporting agency may furnish a consumer credit report to any person unless it has reasonable grounds for believing that the consumer credit report will be used by such person for purposes listed in Section 1785.11.

(b) Whenever a consumer credit reporting agency prepares a consumer credit report, it shall follow reasonable procedures to assure maximum possible accuracy of the information concerning the individual about whom the report relates.