



**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
SAN FRANCISCO SESSION  
DECEMBER 7, 2021  
FIRST AMENDED**

**Due to the COVID-19 coronavirus pandemic and related public health directives from state and local authorities, the procedures specified by Administrative Orders Nos. [2020-03-13 \(Mar. 16, 2020\)](#), [2020-03-27 \(March 27, 2020\)](#), and [2020-08-19 \(August 19, 2020\)](#) apply. Counsel will appear remotely and courtroom seating for the press will be strictly limited to achieve appropriate distancing. The public will continue to have access to argument via live-streaming on the judicial branch website: <https://www.courts.ca.gov/>.**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald M. George State Office Complex, Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on December 7, 2021.

**TUESDAY, DECEMBER 7, 2021 — 9:00 A.M.**

- (1) Berroteran (Raul II) v. Superior Court of Los Angeles County (Ford Motor Company, Real Party in Interest), S259522  
(*Manella, P.J., assigned justice pro tempore*)
- (2) Lopez (Marisol) v. Ledesma (Glenn) et al., S262487  
(*Meehan, J., assigned justice pro tempore*)
- (3) Sheen (Kwang K.) v. Wells Fargo Bank, N.A., S258019  
(*McConnell, A.P.J., assigned justice pro tempore*)

CANTIL-SAKAUYE

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*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.*

**TUESDAY, DECEMBER 7, 2021—9:00 A.M.**

(1) ***Berroteran (Raul II) v. Superior Court of Los Angeles County (Ford Motor Company, Real Party in Interest), S259522 (Manella, P.J., assigned justice pro tempore)***

#20-36 Berroteran (Raul II) v. Superior Court of Los Angeles County (Ford Motor Company, Real Party in Interest), S259522. (B296639; 41 Cal.App.5th 518; Superior Court of Los Angeles County; BC542525.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. This case presents the following issue: Does a party against whom former deposition testimony in a different case is sought to be admitted at trial under Evidence Code section 1291, subdivision (a)(2), have a similar interest and motive at both hearings to cross-examine a friendly witness?

(2) ***Lopez (Marisol) v. Ledesma (Glenn) et al., S262487 (Meehan, J., assigned justice pro tempore)***

#20-198 Lopez (Marisol) v. Ledesma (Glenn) et al., S262487. (B284452; 46 Cal.App.5th 980; Superior Court of Los Angeles County; BC519180.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case includes the following issue: Was a physician's assistant who treated a patient without direct physician supervision entitled to invoke the limitations of Civil Code section 3333.2 on noneconomic damages?

(3) ***Sheen (Kwang K.) v. Wells Fargo Bank, N.A., S258019 (McConnell, A.P.J., assigned justice pro tempore)***

#19-173 Sheen (Kwang K.) v. Wells Fargo Bank, N.A., S258019. (B289003; 38 Cal.App.5th 346; Superior Court of Los Angeles County; BC631510.) Petition for review after the Court

of Appeal affirmed the judgment in a civil action. This case presents the following issue: Does a mortgage servicer owe a borrower a duty of care to refrain from making material misrepresentations about the status of a foreclosure sale following the borrower's submission of, and the servicer's agreement to review, an application to modify a mortgage loan?