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NEWS RELEASE

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Summary of Cases Accepted During the Week of October 17, 2005

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The statement of the issue or issues in each case set out below does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#05-202 *Alan v. American Honda Motor Co., Inc.*, S137238.

(B165756; 131 Cal.App.4th 886; Los Angeles County Superior Court; BC195461.) Petition for review after the Court of Appeal dismissed an appeal in a civil action. The court limited review to the following issue: Did the Statement of Decision and Minute Order dated January 2, 2003, trigger the 60-day period within which to notice an appeal under California Rules of Court, rule 2(a)(1)?

#05-203 *Angelucci v. Century Supper Club*, S136154. (B173281; 130

Cal.App.4th 919; Los Angeles County Superior Court; BC278640.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: When a business establishment indicates that it charges men a higher price for admission than it charges women, must a male patron who was charged the higher rate have requested to be admitted at the lower women's rate in order to state a cause of action for unlawful discrimination under the Unruh Civil Rights Act (Civ. Code, § 51) or the Gender Tax Repeal Act (Civ. Code, § 51.6)?

#05-204 *People v. Watkins*, S136617. (F046612; Stanislaus County Superior Court; unpublished opinion; 1066615.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Hudson*, S122816 (#04-43), which presents the following issues:
(1) What circumstances properly should be considered in determining

(over)

whether a peace officer's motor vehicle is "distinctively marked" within the meaning of section 2800.1, subdivision (a)(3), of the Vehicle Code? (2) Does the trial court have a sua sponte duty to instruct the jury regarding the meaning of the term "distinctively marked" as used in that section, and if so, how should that term be defined?

DISPOSITIONS

The following case was transferred to the Court of Appeal for reconsideration in light of *Yanowitz v. L'Oreal, USA, Inc.* (2005) 36 Cal.4th 1028 and *Schifando v. City of Los Angeles* (2003) 31 Cal.4th 1074:

#05-147 McRae v. Department of Corrections, S133402.

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