



# NEWS RELEASE

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## Summary of Cases Accepted During the Week of December 11, 2006

*[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.]*

**#06-132 *Farm Raised Salmon Cases, S147171.*** (B182901; 142 Cal.App.4th 805; Los Angeles County Superior Court; JCCP No. 4329.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: Does the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 301 et seq.) impliedly preempt plaintiffs' state law claims against defendants for deceptive marketing of food products by failing to disclose that farmed salmon sold in their stores contains artificial coloring?

**#06-133 *People v. Bradley, S146985.*** (B175564; 142 Cal.App.4th 247; Los Angeles County Superior Court; BA240392.) Petition for review after the Court of Appeal affirmed judgments of conviction of criminal offenses. The court ordered briefing deferred pending decision in *Stark v. Superior Court*, S145337 (#06-104), which includes the question whether the offense of misappropriation of public funds by a public officer or employee in violation of Penal Code section 424 requires intentional violation of a known legal duty or is a general intent crime, and *People v. Chacon*, S125236 (#04-87), which includes the question whether California law should recognize the defense of entrapment by estoppel.

**#06-134 *City of Los Angeles v. 2000 Jeep Cherokee, S147724.*** (B185673, B188182; unpublished opinion; Los Angeles County Superior Court; BS097278.) Petition for review after the Court of Appeal reversed the judgment in a civil action. The court ordered briefing deferred

pending decision in *O'Connell v. City of Stockton*, S135160 (#05-190), which includes the following issue: Does state law preempt a local ordinance providing for the forfeiture of a motor vehicle used to solicit an act of prostitution or to attempt a drug transaction?

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