



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
JUNE 1 AND 2, 2021**

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 June 1 and 2, 2021.

TUESDAY, JUNE 1, 2021—9:00 A.M.

- (1) Daly (Michael Gomez) et al. v. Board of Supervisors of San Bernardino County et al., S260209
- (2) Gonzalez (Luis) v. Mathis (John R.) et al., S247677
- (3) Walker (Jeffrey) v. Superior Court of City and County of San Francisco (People, Real Party in Interest), S263588

1:30 P.M.

- (4) Skidgel (Tamara) v. California Unemployment Insurance Appeals Board, S250149
- (5) People v. Wycoff (Edward Matthew), [Automatic Appeal], S178669

WEDNESDAY, JUNE 2, 2021—9:00 A.M.

- (6) McHugh (Blakely) et al. v. Protective Life Insurance, S259215
- (7) People v. McDaniel (Don'te Lamont), [Automatic Appeal], S171393

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).)

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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, JUNE 1, 2021—9:00 A.M.

(1) *Daly (Michael Gomez) et al. v. Board of Supervisors of San Bernardino County et al., S260209*

#20-51 Daly (Michael Gomez) et al. v. Board of Supervisors of San Bernardino County et al., S260209. (E073730; nonpublished order; Superior Court of San Bernardino County; CIVDS1833846.) Petition for review after the Court of Appeal denied a petition for writ of supersedeas. This case includes the following issues: (1) Are a judgment and the enforcement of an accompanying writ of mandate automatically stayed by the perfection of an appeal as a mandatory injunction when they direct a county's board of supervisors to rescind its appointment of a supervisor based on the finding that the process by which the supervisor was appointed violated the Brown Act (Gov. Code, § 54950 et seq.)? (2) Did plaintiffs properly challenge real party in interest's appointment as Third District Supervisor by a petition for writ of mandate under Government Code section 54960.1, subdivision (a), or was an action in quo warranto (Code Civ. Proc., § 803 et seq.) the exclusive procedure for such a challenge?

(2) *Gonzalez (Luis) v. Mathis (John R.) et al., S247677*

#18-67 Gonzalez (Luis) v. Mathis (John R.) et al., S247677. (B272344; 20 Cal.App.5th 257; Superior Court of Los Angeles County; BC542498.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case includes the following

issue: Can a homeowner who hires an independent contractor be held liable in tort for injury sustained by the contractor's employee when the homeowner does not retain control over the worksite and the hazard causing the injury was known to the contractor?

(3) *Walker (Jeffrey) v. Superior Court of City and County of San Francisco (People, Real Party in Interest)*, S263588

#20-237 Walker (Jeffrey) v. Superior Court of City and County of San Francisco (People, Real Party in Interest), S263588. (A159563; 51 Cal.App.5th 682; Superior Court of San Francisco County; 2219428.) Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. This case presents the following issue: Did the superior court violate the rule of *People v. Sanchez* (2016) 63 Cal.4th 665 — that an expert cannot relate case-specific hearsay unless the facts are independently proved or covered by a hearsay exception — by relying on case-specific hearsay contained in psychological evaluations in finding probable cause to commit petitioner under the Sexually Violent Predator Act?

1:30 P.M.

(4) *Skidgel (Tamara) v. California Unemployment Insurance Appeals Board*, S250149

#18-132 Skidgel (Tamara) v. California Unemployment Insurance Appeals Board, S250149. (A151224; 24 Cal.App.5th 574; Superior Court of Alameda County; RG16810609.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: Are In Home Supportive Services workers (Welf. & Inst. Code, § 12300 et seq.) who are providers for a spouse or a child eligible for unemployment insurance benefits?

(5) *People v. Wycoff (Edward Matthew)*, [Automatic Appeal], S178669

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

WEDNESDAY, JUNE 2, 2021—9:00 A.M.

(6) *McHugh (Blakely) et al. v. Protective Life Insurance, S259215*

#20-28 McHugh (Blakely) et al. v. Protective Life Insurance, S259215. (D072863; 40 Cal.App.5th 1166; Superior Court of San Diego County; 37-2014-00019212-CU-IC-CTL.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issues: (1) Do the provisions of Insurance Code sections 10113.71 and 10113.72 apply, in whole or in part, to life insurance policies in force as of January 1, 2013, regardless of the original date of issuance of those policies? (2) Did the lower courts in this case properly rely upon private opinions of Department of Insurance staff counsel? (See Ins. Code, § 12921.9; Gov. Code, § 11340.5; *Heckart v. A-1 Self Storage, Inc.* (2018) 4 Cal.5th 749.)

(7) *People v. McDaniel (Don'te Lamont), [Automatic Appeal], S171393*

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