



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

April 26, 2019

Summary of Cases Accepted and Related Actions During Week of April 22, 2019

[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.]

#19-43 *Dhillon v. Anheuser-Busch, LLC*, S254226. (F074952; nonpublished opinion; Fresno County Superior Court; 14CECG03039.) Petition for review after the Court of Appeal affirmed an order denying class certification in a civil action. The court ordered briefing deferred pending decision in *Noel v. Thrifty Payless, Inc.*, S246490 (#18-39), which presents the following issue: Must a plaintiff seeking class certification under Code of Civil Procedure section 382 or the Consumer Legal Remedies Act demonstrate that records exist permitting the identification of class members?

#19-44 *People v. Rocco*, S254264. (F074772; nonpublished opinion; Stanislaus County Superior Court; 1416930.) 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. Frahs*, S252220 (#18-175), which presents the following issues: (1) Does Penal Code section 1001.36 apply retroactively to all cases in which the judgment is not yet final? (2) Did the Court of Appeal err by remanding for a determination of defendant's eligibility under Penal Code section 1001.36?

#19-45 *Symmonds v. Mahoney*, S254646. (B283529; 31 Cal.App.5th 1096; Los Angeles County Superior Court; BC620563.) Petition for review after the Court of Appeal reversed an order denying a special motion to strike in a civil action. The court ordered briefing deferred pending decision in *Wilson v. Cable News Network, Inc.*, S239686 (#17-83), which presents the following issue: In deciding whether an employee's claims for discrimination, retaliation, wrongful termination, and defamation arise from protected activity for purposes of a special motion to strike (Code of Civ. Proc., § 425.16), what is the relevance of an allegation that the employer acted with a discriminatory or retaliatory motive?

DISPOSITIONS

The following case was transferred for reconsideration in light of *Avitia v. Superior Court* (2018) 6 Cal.5th 486:

#17-347 Williams v. Superior Court, S245314.	(C083126; 15 Cal.App.5th 1049; San Joaquin County Superior Court; STKCRFE20160006123)
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Review in the following case was dismissed in light of *Avitia v. Superior Court* (2018) 6 Cal.5th 486:

#18-129 Jackson v Superior Court, S250995.	(A153818; 25 Cal.App.5th 515; Contra Costa County Superior Court; 51705987)
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The Supreme Court of California is the state's highest court and its decisions are binding on all other California state courts. The court's primary role is to decide matters of statewide importance and to maintain uniformity in the law throughout California by reviewing matters from the six districts of the California Courts of Appeal and the fifty-eight county superior courts (the trial courts). Among its other duties, the court also decides all capital appeals and related matters and reviews both attorney and judicial disciplinary matters.