



NEWS RELEASE

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FOR IMMEDIATE RELEASE

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Summary of Cases Accepted and Related Actions for Week of October 29, 2012

[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.]

#12-111 *People v. Schaeffer, S205260.* (E053499; 208 Cal.App.4th 1; Riverside County Superior Court; RIF1102208.) Petition for review after the Court of Appeal remanded in part and otherwise affirmed a judgment of conviction of criminal offenses. This case presents the following issue: In a case involving possession of drugs and misdemeanor drug use, could the trial court, as a condition of probation, require defendant to “[r]eside at a residence approved by the Probation Officer and not move without his/her prior approval”?

#12-112 *Sterling Park, L.P. v. City of Palo Alto, S204771.* (H036663; nonpublished opinion; Santa Clara County Superior Court; CV154134.) Petition for review after the Court of Appeal affirmed the summary judgment in a civil action. This case presents the following issue: Did the 90-day statute of limitations for challenging an agency decision under the Subdivision Map Act (Gov. Code, § 66499.37) or the 180-day statute of limitations for challenging the imposition of “any fees, dedications, reservations, or other exactions imposed on a development project” (Gov. Code, § 66020) apply to plaintiff’s action challenging the city’s imposition of conditions on a development project pursuant to a local ordinance?

DISPOSITION

The following case was transferred for reconsideration in light of *State of California v. Continental Ins. Co.* (2012) 55 Cal.4th 186:

#11-106 *Kaiser Cement & Gypsum Corp. v. Insurance Co. of State of Pennsylvania, S194724.*

STATUS

#11-82 *City of Los Angeles v. Superior Court, S192828.* The court requested the parties to file supplemental briefs addressing the following question: Do the memorandums of understanding at issue here, including but not limited to their management rights clauses (article 1.9), render the decision whether to impose employee furloughs inarbitrable?

In the following cases in which briefing was previously deferred pending further order of the court and decision in *People v. Favor* (2012) 54 Cal.4th 868, the court ordered action deferred pending decision in *People v. Chiu*, S202724 (#12-90), which presents the following issue: Does a conviction for first degree murder as an aider and abettor under the natural and probable consequences doctrine require that premeditated murder have been a reasonably foreseeable consequence of the target crimes or only that murder have been such a consequence?

#11-55 *People v. Avila, S191317.*

#11-135 *People v. Armstrong, S196985.*

#12-51 *People v. Wollett, S200871.*

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