



**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
SAN FRANCISCO SESSION  
MAY 25, 2023**

**Due to scheduled upgrades to the audio-visual system in the San Francisco courtroom, the May 25, 2023 oral argument session will be conducted with all justices and counsel participating remotely. The public will continue to have access to argument via live-streaming on the judicial branch website: <https://supreme.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 May 25, 2023.

**THURSDAY, MAY 25, 2023 — 9:00 A.M.**

- (1) Jane Doe v. Superior Court of Los Angeles County (Mountain View School District, Real Party in Interest), S272166
- (2) Allied Premier Insurance v. United Financial Casualty Company, S267746
- (3) Turner (Debra) v. Victoria (Laurie Anne) et al., S271054

**1:30 P.M.**

- (4) Raines (Kristina) et al. v. U.S. Healthworks Medical Group et al., S273630
- (5) Chevron U.S.A. Inc. et al. v. County of Monterey (Protect Monterey County et al., Interveners and Appellants), S271869  
(*Corrigan, J., not participating; Raphael, J. assigned justice pro tempore*)
- (6) People v. Mumin (Ahmed), S271049  
(*Guerrero, C. J., not participating; Robie, J. assigned justice pro tempore*)

GUERRERO

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*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.*

**THURSDAY, MAY 25, 2023 — 9:00 A.M.**

**(1) *Jane Doe v. Superior Court of Los Angeles County (Mountain View School District, Real Party in Interest), S272166***

#22-28 Jane S.D. Doe v. Superior Court, S272166. (B313874; 71 Cal.App.5th 227; Los Angeles County Superior Court; BC712514.) Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. This case presents the following issues: (1) Is evidence that a plaintiff in a civil action suffered a prior sexual assault admissible for impeachment purposes (Evid. Code, § 783) or inadmissible as a claim that the plaintiff did not suffer injury (Evid. Code, § 1106, subd. (a))? (2) If admissible, what procedures and quantum of proof are required to admit such evidence?

**(2) *Allied Premier Insurance v. United Financial Casualty Company, S267746***

#21-217 Allied Premier Insurance v. United Financial Casualty Co., S267746. (9th Cir. No. 20-55099; 991 F.3d 1070; Central District of California No. 5:18-cv-00088-JGB-KK.) Request under California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The question presented is: Does a commercial automobile insurance policy continue in full force and effect under the Motor Carriers of Property Permit Act (Veh. Code, § 34600 et seq.) until the insurer cancels the corresponding Certificate of Insurance on file with the California Department of Motor Vehicles, regardless of the insurance policy's stated expiration date? (See *Transamerica v. Tab Transportation* (1995) 12 Cal.4th 389.)

(3) ***Turner (Debra) v. Victoria (Laurie Anne) et al., S271054***

#21-522 Turner v. Victoria, S271054. (D076318, D076336; 67 Cal.App.5th 1099; San Diego County Superior Court; 37-2017-00009873-PR-TR-CTL, 37-2018-00038613-CU-MC-CTL.) Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action. This case presents the following issues: (1) Does a director or officer of a California nonprofit public benefit corporation who brings an action under Corporations Code sections 5142, 5223, and/or 5233 for breach of charitable trust and/or improper conduct by directors of the trust lose standing to continue litigating the claims if he or she does not remain a director during the litigation? (2) Does the “continuous ownership” requirement of Corporations Code section 5710 for shareholder derivative standing in the for-profit context apply to derivative standing of members of a nonprofit public benefit corporation?

**1:30 P.M.**

(4) ***Raines (Kristina) et al. v. U.S. Healthworks Medical Group et al., S273630***

#22-107 Raines v. U.S. Healthworks Medical Group, S273630. (9th Cir. No. 21-55229; 28 F.4th 968; Southern District of California; No. 3:19-cv-01539-DMS-DEB.) Request under California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The question presented is: Does California’s Fair Employment and Housing Act, which defines “employer” to include “any person acting as an agent of an employer” (Gov. Code, § 12926, subd. (d)), permit a business entity acting as an agent of an employer to be held directly liable for employment discrimination?

(5) ***Chevron U.S.A. Inc. et al. v. County of Monterey (Protect Monterey County et al., Intervenors and Appellants), S271869***

***(Corrigan, J., not participating; Raphael, J. assigned justice pro tempore)***

#21-22 Chevron U.S.A., Inc. v. County of Monterey, S271869. (H045791; 70 Cal.App.5th 153; Monterey County Superior Court; 16CV003978.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. The court limited

review to the following issue: Does Public Resources Code section 3106 impliedly preempt provisions LU-1.22 and LU-1.23 of Monterey County’s initiative “Measure Z”?

**(6) People v. Mumin (Ahmed), S271049**

*(Guerrero, C. J., not participating; Robie, J. assigned justice pro tempore)*

#21-520 People v. Mumin, S271049. (D076916; 68 Cal.App.5th 36; San Diego County Superior Court; SCD261780.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. The court limited review to the following issues: Did the trial court err by providing a kill zone instruction? Did the Court of Appeal apply the proper standard of review under *People v. Canizales* (2019) 7 Cal.5th 591 in holding the trial court did not err in providing the kill zone instruction?