



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO
NOVEMBER 3, 2026**

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 November 3, 2026. The public may attend in person and also have access to argument via live-streaming on the judicial branch website: <https://supreme.courts.ca.gov/>.

TUESDAY, NOVEMBER 3, 2026 — 9:00 A.M.

- (1) People v. Eaton (John Allen), S289903
(*justice pro tempore to be assigned*)
- (2) Leeper (Christina) v. Shipt, Inc., et al., S289305
(*Krause, J., assigned justice pro tempore*)
- (3) Cash (Michael) v. County of Los Angeles, S291827
(*McConnell, A.P.J., assigned justice pro tempore*)

1:30 P.M.

- (4) Cohen (Charles) et al. v. Superior Court of Los Angeles County (Thomas Schwartz et al., Real Parties in Interest), S285484
(*justice pro tempore to be assigned*)
- (5) People v. Mataele (Tupoutoe), S291019
(*Hill, A.P.J., assigned justice pro tempore*)

GUERRERO

Chief Justice

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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. The descriptions set out below are, in most instances, 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, NOVEMBER 3, 2026 — 9:00 A.M.

(1) *People v. Eaton (John Allen)*, S289903

(justice pro tempore to be assigned)

#25-129 *People v. Eaton (John Allen)*, S289903. (C096853; nonpublished opinion; Sacramento County Superior Court; 93F04514.) Petition for review after the Court of Appeal affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter. This case presents the following issue: May a trial court reimpose a previously imposed upper term sentence under Penal Code section 1172.75, subdivision (d)(4) where the facts underlying one or more aggravating circumstances were neither stipulated to by the defendant nor found true beyond a reasonable doubt at trial by the jury or by the judge in a court trial (cf. Pen. Code, § 1170, subd. (b)(2); *id.*, § 1172.75, subd. (d)(2))?

(2) *Leeper (Christina) v. Shipt, Inc., et al.*, S289305

(Krause, J., assigned justice pro tempore)

#25-91 *Leeper (Christina) v. Shipt, Inc., et al.*, S289305. (B339670; 107 Cal.App.5th 1001; Los Angeles County Superior Court; 24STCV06485.) Review ordered on the court's own motion after the Court of Appeal reversed an order denying a motion to compel arbitration in a civil action and remanded with directions. The court limited review to the following issues: (1) Does every Private Attorneys General Act (Lab. Code, § 2698 et seq.) (PAGA) action necessarily include both individual and non-

individual PAGA claims, regardless of whether the complaint specifically alleges individual claims? (2) Can a plaintiff choose to bring only a non-individual PAGA action?

(3) *Cash (Michael) v. County of Los Angeles, S291827*

(McConnell, A.P.J., assigned justice pro tempore)

#25-287 Cash (Michael) v. County of Los Angeles, S291827. (B336980; 111 Cal.App.5th 741; Los Angeles County Superior Court; BC718190.) Petition for review after the Court of Appeal affirmed post-judgment orders in a civil action. This case presents the following issues: (1) Did the trial court's across-the-board reduction of the fees requested by plaintiff's counsel trigger heightened scrutiny of its fee order on appeal? (2) Did the trial court commit reversible error in reducing the fee request on an across-the-board basis?

1:30 P.M.

(4) *Cohen (Charles) et al. v. Superior Court of Los Angeles County (Thomas Schwartz et al., Real Parties in Interest), S285484*

(justice pro tempore to be assigned)

#24-173 Cohen (Charles) et al. v. Superior Court of Los Angeles County (Thomas Schwartz et al., Real Parties in Interest), S285484. (B330202; 102 Cal.App.5th 706; Los Angeles County Superior Court; 22SMCV00736.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. The court limited review to the following issue: Does Government Code section 36900, subdivision (a) confer upon private citizens a right to redress violations of municipal ordinances?

(5) *People v. Mataele (Tupoutoe), S291019*

(Hill, A.P.J., assigned justice pro tempore)

#25-147 People v. Mataele (Tupoutoe), S291019. Application to transfer cause before decision by the Court of Appeal. This case presents issues relating to the noncapital resentencing of a capital defendant following remand. In addition, the court directed the parties to brief and argue whether this court has exclusive jurisdiction over this appeal, or

whether this appeal may be decided by the Court of Appeal. (See Cal. Const., art. VI, § 11, subd. (a); *People v. Coleman* (1991) 53 Cal.3d 949, 951, fn. 1.)