

S274191

IN THE SUPREME COURT OF CALIFORNIA

CORBY KUCIEMBA and ROBERT KUCIEMBA

Plaintiffs-Appellants

v.

VICTORY WOODWORKS, INC., a Nevada Corporation

Defendant-Respondent

On Grant of Request to Decide Certified Questions from the
United States Court of Appeal for the Ninth Circuit Pursuant to
California Rules of Court, Rule 8.548
Ninth Circuit No. 21-15963

**VICTORY WOODWORKS, INC. LIST OF UPDATED
AUTHORITIES UNDER RULE 8.520(D)(1)**

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In Respondent Victory Woodworks, Inc.’s Notice of Errata in Answering Brief, on page 54, under Heading D – Authorities from Other Jurisdictions Support the Rejection of an Employer’s Duty to Third-Parties to Prevent COVID-19, cites for the following have been updated:

Estate of *Ruiz v. ConAgra Foods Packaged Foods, LLC* (E.D. Wis. 5/3/22) 2022 U.S. Dist. LEXIS 84302 (*Ruiz I*) is now **(E.D. Wis. 2022) 601 F.Supp.3d 368**.

Ruiz v. ConAgra Foods Packaged Foods, LLC (E.D. Wis. 6/8/22) 2022 U.S. Dist. LEXIS 105300 (*Ruiz II*) is now **(E.D. Wis. 2022) 606 F.Supp.3d 881, appeal dismissed (7th Cir 2023) 22-2171**.

Respondent Victory Woodworks, Inc. respectfully submits this brief pursuant to California Rules of Court, Rule 8.520(d)(1), which allows a party “to file a supplemental brief limited to new authorities . . . that were not available in time to be included in the party’s brief on the merits.”

Respectfully submitted,

Dated: April 28, 2022

HINSHAW & CULBERTSON LLP

By: /s/ William Bogdan

William Bogdan
Attorneys for Defendant-Respondent
VICTORY WOODWORKS, INC., a Nevada
Corporation

CERTIFICATE OF COMPLIANCE

Counsel of Record hereby certifies that pursuant to Rule 8.204(c)(1) or 8.260(b)(1) of the California Rules of Court, the enclosed brief of Respondent is produced using 13-point Century Schoolbook type including footnotes and contains approximately 146 words, which is less than the total words permitted by the rules of court. Counsel relies on the word count of the computer program used to prepare this brief.

Dated: April 28, 2022

HINSHAW & CULBERTSON LLP

By: /s/ William Bogdan
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Corporation

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

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Supreme Court of California

Case Name: **KUCIEMBA v. VICTORY WOODWORKS**

Case Number: **S274191**

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

4/28/2023

Date

/s/Sherie McLean

Signature

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