

**SUPREME COURT MINUTES
FRIDAY, OCTOBER 30, 2020
SAN FRANCISCO, CALIFORNIA**

S264419 B306827 Second Appellate District, Div. 1 **FRANKLIN (BARBARA) v.
S.C. (DAIMLER TRUCKS
NORTH AMERICA, LLC)**

Petition for review denied

It appears this matter has been calendared for a trial setting conference on November 17. (See minute order of the Los Angeles Superior Court, Department 15, case number 19STCV36610, dated October 23, 2020.) In light of that development, the petition for review in *Franklin v. Superior Court (Daimler Trucks of North America, LLC)*, S264419/B306827 is denied. The denial is without prejudice to the right of either party to seek appropriate relief in the Court of Appeal following the November 17, trial setting conference. Should such an application be contemplated, the trial court and parties may seek to make a record of the following:

1. The current number of criminal and civil cases awaiting trial setting in Los Angeles County.
2. The number and nature of other pending cases entitled to priority status.
3. The significance, if any, of Government Code section 68115 and *Sprowl v. Superior Court* (1990) 219 Cal.App.3d 777, with regard to this case.
4. Any additional facts bearing on petitioner's trial preference status under Code of Civil Procedure section 36.
5. Any factors bearing on the feasibility of conducting an in person or remote trial, with appropriate COVID-19 protections and accommodations.
6. Any other facts pertaining to petitioner's right to meaningful access to the courts and the court's ability or inability to provide that access while balancing the rights of other litigants and any need to protect the health and safety of all who may be involved in the resolution of petitioner's case.

The request for judicial notice is granted as to exhibits 2, 6, 7, 8 and 9, and denied as to exhibits 1, 3, 4 and 5.

Cantil-Sakauye, C. J., was recused and did not participate.

S265012 **SHIFREN (NACHUM) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION SEVEN
(LOGAN)**

Petition for writ of mandate/prohibition denied

The request for judicial notice, filed on October 22, 2020, is granted.