



Supreme Court of California  
350 McAllister Street, San Francisco, CA 94102-4797  
[www.courts.ca.gov/supremecourt](http://www.courts.ca.gov/supremecourt)

**NEWS RELEASE**

Contact: [Merrill Balassone](mailto:Merrill.Balassone@courts.ca.gov), 415-865-7740

**FOR IMMEDIATE RELEASE**

May 3, 2024

---

## Summary of Cases Accepted and Related Actions During Week of April 29, 2024

*[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.]*

**#24-77 *Gilead Tenofovir Cases*, S283862.** (A165558; 98 Cal.App.5th 911, mod. 99 Cal.App.5th 196a; San Francisco County Superior Court; CJC19005043.) Petition for review after the Court of Appeal granted in part and denied in part a petition for writ of mandate. This case presents the following issue: Does a drug manufacturer have a duty of reasonable care to users of a drug it is currently selling, which is not alleged to be defective, when making decisions about the commercialization of an allegedly safer, and at least equally effective, alternative drug?

**#24-78 *People v. Mares*, S284232.** (E080611; 99 Cal.App.5th 1158; San Bernardino County Superior Court; FSB18002685.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter. The court ordered briefing deferred pending decision in *People v. Patton*, S279670 (#23-129), which presents the following issue: Did the trial court engage in impermissible judicial factfinding by relying on the preliminary hearing transcript to deny defendant's Penal Code section 1172.6 petition at the prima facie stage? (See *People v. Lewis* (2021) 11 Cal.5th 952.)

**#24-79 *Morales v. Garfield Beach CVS, LLC*, S284011.** (B312212, B316290; nonpublished opinion; Los Angeles County Superior Court; BC645205, JCCP4975, RG17881136.) Petition for review after the CA affirmed the judgment in a civil action. The court ordered briefing deferred pending decision in *Turrieta v. Lyft, Inc.*, S271721 (#22-03), which presents the following issue: Does a plaintiff in a representative action filed under the Private Attorneys General Act (Lab. Code, § 2698, et seq.) (PAGA) have the right to intervene, or object to, or move to vacate, a judgment in a related action that purports to settle the claims that plaintiff has brought on behalf of the state?

**SEPARATE STATEMENT ON DENIAL OF REVIEW**

***People v. Coleman, S283717.*** (A165198; 98 Cal.App.5th 709; Humboldt County Superior Court; CR2000055B.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses.

**DISPOSITIONS**

Review in the following case, which was granted and held for *Niedermeier v. FCA US LLC* (2024) 15 Cal.5th 792, was dismissed:

<b>#23-24 <i>Figueroa v. FCA USA, LLC,</i> S277547</b>	(B306275, B308339; 84 Cal.App.5th 708; Ventura County Superior Court; 56-2018-00507038-CU-BC-VTA)
--	---

###

*The Supreme Court of California is the state's highest court and its decisions are binding on all other California state courts. The court's primary role is to decide matters of statewide importance and to maintain uniformity in the law throughout California by reviewing matters from the six districts of the California Courts of Appeal and the fifty-eight county superior courts (the trial courts). Among its other duties, the court also decides all capital appeals and related matters and reviews both attorney and judicial disciplinary matters.*