



# NEWS

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## **SUMMARY OF CASES ACCEPTED DURING THE WEEK OF JANUARY 19, 2004**

[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 description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#04-07 *Morohoshi v. Pacific Home*, S120903. (B159594; 112 Cal.App.4th 937; Los Angeles County Superior Court; NC025395.) Petition for review after the Court of Appeal modified and affirmed the judgment in a civil action. This case presents the following issues: (1) Is a regional health center vicariously liable for the negligence of a facility providing services to a developmentally disabled person, based on the regional center's statutory duties under the Lanterman Developmental Disabilities Service Act (Welf. & Inst. Code, § 4500 et seq.)? (2) Did the Court of Appeal's earlier decision in this case (*Morohoshi v. Pacific Home* (Aug. 21, 2001, B143379)) resolve the foregoing vicarious liability issue, and is that decision controlling in this appeal under the law of the case doctrine?

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