



JUDICIAL COUNCIL OF
CALIFORNIA
ADMINISTRATIVE OFFICE
OF THE COURTS
Public Information Office
455 Golden Gate Avenue
San Francisco, CA 94102-3688
www.courtinfo.ca.gov

415-865-7740

Lynn Holton
Public Information Officer

NEWS RELEASE

Release Number: **S.C. 04/09**

Release Date: **January 30, 2009**

Summary of Cases Accepted During the Week of January 26, 2009

[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.]

#09-03 *Kleffman v. Vonage Holdings Corp.*, S169195. (9th Cir. Nos. 07-56171, 07-56292; 551 F.3d 847; Central District of California; CV-07-02406-GAF.) Request under California Rules of Court, rule 8.548, that this court decide question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The question presented is: “Does sending unsolicited commercial e-mail advertisements from multiple domain names for the purpose of bypassing spam filters constitute falsified, misrepresented, or forged header information under Business and Professions Code section 17529.5, subdivision (a)(2)?”

#09-04 *Runyon v. Board of Trustees of California State University*, S168950. (B195213; nonpublished opinion; Los Angeles County Superior Court; BC340560.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issues: (1) Must an employee of the California State University exhaust administrative and judicial remedies with respect to a challenged administrative decision in order to bring a claim under the California Whistleblower Protection Act (Gov. Code, § 8547 et seq.)? (2) What standard governs the determination whether the employee’s internal complaint has been “satisfactorily addressed” (§ 8547.12, subd. (c)) by the California State University?