



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. 34/07**

Release Date: **August 27, 2007**

Summary of Cases Accepted During the Week of August 20, 2007

[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.]

#07-383 *Coral Construction v. City and County of San Francisco, S152934.* (A107803; 149 Cal.App.4th 1218; San Francisco County Superior Court; 421249; 319549.) Petitions for review after the Court of Appeal affirmed in part and reversed in part a summary judgment in a civil action. This case presents the following issues: (1) Does article I, section 31 of the California Constitution, which prohibits government entities from discrimination or preference on the basis of race, sex, or color in public contracting, improperly disadvantage minority groups and violate equal protection principles by making it more difficult to enact legislation on their behalf? (See *Washington v. Seattle School Dist. No. 1* (1982) 458 U.S. 457; *Hunter v. Erickson* (1969) 393 U.S. 385.) (2) Is section 31 preempted by the International Convention on the Elimination of Racial Discrimination? (3) Does an ordinance that provides certain advantages to minority- and female-owned business enterprises with respect to the award of city contracts fall within an exception to section 31 for actions required of a local governmental entity to maintain eligibility for federal funds under the federal Civil Rights Act (42 U.S.C. § 2000d)? (4) Did the Court of Appeal properly remand the case to the trial court to determine in the first instance whether the ordinance was required in order to maintain the local governmental entity's eligibility for federal funds?

#07-384 *Manco Contracting Co. v. Bezdikian, S154076.* (B182885; 151 Cal.App.4th 749; Los Angeles County Superior Court; SC081737.) Petition for review after the Court of Appeal reversed the summary judgment in a civil action. This case presents the following issues: (1) Is

a foreign money judgment final within the meaning of the Uniform Foreign Money-Judgments Recognition Act (Code of Civ. Pro, § 1713 et seq.), even though an appeal of the foreign judgment is pending and the law of the foreign jurisdiction provides that a judgment is not final there until the appeal has been resolved? (2) What statute of limitations applies to an action to enforce a foreign judgment?

DISPOSITION

Review in the following case was dismissed in light of *People v. Geier* (2007) 41 Cal.4th 555:

#07-125 People v. Salinas, S150293.

#