



NEWS

Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS
Public Information Office
(415) 865-7740

Lynn Holton, Public Information Officer

Release Date: August 30, 2004

Release Number: S.C. 35/04

SUMMARY OF CASES ACCEPTED DURING THE WEEK OF AUGUST 23, 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.]

#04-90 *City and County of San Francisco v. Cobra Solutions, Inc.*, S126397. (A103749; 119 Cal.App.4th 304; San Francisco County Superior Court; 417218.)
Petition for review after the Court of Appeal affirmed an order in a civil action. This case presents the following issue: When an elected city attorney previously represented a company that becomes a target of an investigation conducted by the city attorney's office, and the elected city attorney's previous representation included matters related to the investigation, is the appropriate remedy to disqualify the entire city attorney's office and require that the matter be taken over by a separate entity or attorney, or is the imposition of an "ethical screen" by the city attorney's office, barring any participation in the matter by the elected city attorney, sufficient?

#04-91 *People v. Alcala*, S125898. (C037000; 118 Cal.App.4th 1362; Siskiyou County Superior Court; SCCRF991730.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Hofsheier*, S124636 (#04-55), which presents the following issue: Does Penal Code section 290 violate the equal protection clauses of the state and federal Constitutions by requiring a defendant convicted of oral copulation with a minor to register as a sex offender but not requiring such registration for a defendant convicted of unlawful sexual intercourse with a minor?

(over)

STATUS

#03-27 *Lewis Jorge Construction Management, Inc. v. Pomona Unified School Dist.*, S112624. The court directed the parties to file supplemental letter briefs addressing the following question: Would an award for lost future profits on other, unawarded contracts have been proper as special damages under California law in this case?

#