



WHAT'S NEW IN TORT & TRIAL: 2018 IN REVIEW

OPEN TO PLAINTIFF & DEFENSE

JANUARY 25, 2019

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REGISTRATION
11:30 AM

PROGRAM AND LUNCH
12:00 TO 2:00 PM

SPEAKERS

ANNE KEPNER
NEEDHAM KEPNER & FISH LLP

RAYMOND E. MATTISON
MATTISON LAW FIRM, APC

KIRSTEN FISH
NEEDHAM KEPNER & FISH LLP

ANDJE MEDINA
ALTAIR LAW

MCLE
1.0 GENERAL; 1.0 ETHICS/
2.0 APPELLATE LAW SPECIALTY

COMMITTEE
LAWRENCE KNAPP, DAVID RANCANO,
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THIS ACTIVITY HAS BEEN APPROVED FOR MINIMUM CONTINUING LEGAL EDUCATION CREDIT BY THE STATE BAR OF CALIFORNIA IN THE AMOUNT OF 2.0 HOURS, OF WHICH 1.0 HOURS WILL APPLY TO GENERAL CREDITS AND 1.0 TO LEGAL ETHICS, OR UP TO 2.0 HOURS OF APPELLATE LAW SPECIALTY CREDITS. CAOC CERTIFIES THAT THIS ACTIVITY CONFORMS TO THE STANDARDS FOR APPROVED EDUCATION ACTIVITIES PRESCRIBED BY THE RULES AND REGULATION OF THE STATE BARS OF CALIFORNIA AND NEVADA GOVERNING MINIMUM CONTINUING LEGAL EDUCATION. CAOC WILL RETAIN YOUR RECORDS FOR THIS ACTIVITY

PARTIAL LIST OF CASES:

Regents of University of California v. Superior Court
(2018) 4 Cal.5th 607.
Universities have duty to protect students from foreseeable violence during curricular activities.

Sakai v. Massco Investments, LLC
(2018) 20 Cal.App.5th 1178.
Property owner not liable for third party's unexpected reckless conduct.

Shiver v. Laramie
(2018) 24 Cal.App.5th 395.
Sudden emergency doctrine barred freeway driver's negligence claim.

Sandoval v. Qualcomm Inc.
(2018) 28 Cal.App.5th 381.
Project owner liable to subcontractor's employee under retained control exception to Privette.

Willhide-Michiulis v. Mammoth Mountain Ski Area, LLC
(2018) 25 Cal.App.5th 344.
Ski resort not liable for snowboarders catastrophic collision with snow-grooming equipment.

Pebbley v. Santa Clara Organics, LLC
(2018) 22 Cal.App.5th 1266.
Tort victim properly permitted to introduce evidence of cost of medical services rendered outside his insurance plan.

Williams v. The Pep Boys Manny Moe & Jack of California
(2018) 27 Cal.App.5th 225.
Successors-in-interest in a survival action are limited to the economic losses that the decedent sustained or incurred before death and do not include damages that would have been incurred if the decedent survived. An estate can recover the lost wages, medical expenses, and any other pecuniary losses incurred before death.

Ramirez v. City of Gardena
(2018) 5 Cal.5th 995.
City's compliance with statutory requirement for vehicular pursuit policy does not hinge on 100 percent compliance by officers.

Kim v. Toyota Motor Corp.
(2018) 6 Cal.5th 21.
Evidence of industry custom and practice may be admissible in strict products liability case.

Troester v. Starbucks Corp.
(2018) 5 Cal.5th 829.
Employee may not regularly be required to work for nontrivial periods of time without compensation.

Cochrum v. Costa Victoria Healthcare, LLC
(2018) 25 Cal.App.5th 1034.
No recklessness shown in nursing facility's failure properly to implement patient's dietary change.

Heckart v. A-1 Self Storage, Inc.
(2018) 4 Cal.5th 749.
Storage facility's alternative indemnity agreement not "insurance" subject to regulation under Insurance Code.

Hassell v. Bird
(2018) 5 Cal.5th 522.
Internet forum was immune from order directing it to remove derogatory statements published by a third party on forum's website.

Facebook, Inc. v. Superior Court
(2018) 4 Cal.5th 1245.
Stored Communications Act does not bar social media providers' disclosure of users' public posts.

Tanguilig v Neiman Marcus Group, Inc.
(2018) 22 Cal.App.5th 313.
Tolling available only where circumstances make it "impossible, impracticable, or futile" to bring all claims to trial.

Fong v. East West Bank
(2018) 19 Cal.App.5th 224.
Authenticity of signature created triable issue of material fact sufficient to defeat motion for summary judgment on claim of conversion.

ABM Industries Overtime Cases
(2017) 19 Cal.App.5th 277.
Trial court erred in rejecting expert declarations due to expert's lack of "formal training or degrees."

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- \$ 40 • ADDITIONAL PARALEGAL / LEGAL ASSISTANT
- \$ 10 • LAW STUDENTS
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