

CALIFORNIA CASELAW HIGHLIGHTS

CIVIL PROCEDURE

The rule in Code of Civil Procedure section 360.5 which mandates that a waiver of the statute of limitations must be renewed every four years, does not apply to tolling agreements. *Don Johnson Productions, Inc. v. Rysher Entertainment*, 2012 WL 4481437 (Cal.App. 2012).

Heirs were precluded from suing a corporate defendant for alleged wrongful death more than five years after the corporation was dissolved. *Robinson v. SSW, Inc.*, 2012 WL 4335441 (Cal.App. 2012).

After the United States Supreme Court issued a ruling in an unrelated case that created a change in California state law, a petitioner whose earlier motion had been denied was entitled to renew the request based on the intervening change in law. *Phillips v. Sprint PCS*, 2012 WL 4378199 (Cal.App. 2012).

DISCOVERY

Evidence Code section 1157 exempts from discovery the organized committee records of medical staffs which are responsible for evaluating and improving the quality of hospital care. *Pomona Valley Hospital Medical Center v. Superior Court*, 2012 WL 4505913 (Cal.App. 2012).

The hearing officer in an administrative appeal of a correctional officer's dismissal has the authority to order disclosure of a local agency's otherwise privileged personnel records. *Riverside County Sheriff's Department v. Stiglitz*, 2012 WL 4466333 (Cal.App. 2012).

EMPLOYMENT

A trial court may grant a motion for summary judgment on whether a termination of employment was malicious, instead of leaving it to the jury to decide as a factual issue. *Dutra v. Mercy Medical Center Mt. Shasta*, 2012 WL 4389528 (2012).

GENERAL TORT

A towing company's mere possession of an impounded vehicle does not constitute a wrongful seizure or confiscation of the vehicle. *Halajian v. D&B Towing*, 146 Cal.Rptr.3d (2012).

HEALTHCARE

A healthcare professional may have her license revoked for failing to comply with an order requiring a mental fitness examination. *Lee v. Board of Registered Nursing*, 2012 WL 4378195 (Cal.App. 2012).

CAVEAT: THE FOREGOING DOES NOT CONSTITUTE LEGAL ADVICE. PLEASE CONSULT AN ATTORNEY FOR INDIVIDUAL ADVICE REGARDING INDIVIDUAL SITUATIONS.