

# The Appellate Strategist

INSIGHTS ON APPELLATE ISSUES, TRIAL CONSULTATIONS, AND EVALUATING APPEALS

## [This week the California Supreme Court has set three civil matters for oral argument in October](#)

September 9, 2010 by [Michael Walsh](#)

- *Pineda v. Bank of America* addresses the controlling statute of limitations over a claim to recover penalties for the late payment of final wages and whether such penalties can be recovered under [Bus. & Prof. Code § 17203](#). For more details on *Pineda*, see the [Employment – Compensation & Benefits update page](#).
- *Conservatorship of Roy W* addresses whether a prevailing party can be denied attorney fees under [C.C.P. § 1021.5](#) because the prevailing party had a significant non-pecuniary personal interest in the outcome of the litigation. For more details on *Roy W*, see [the Attorney-Related update page](#).
- *Martinez v. Regents of University of California* addresses a challenge by out-of-state U.S. citizens regarding the validity under federal law of [Education Code § 68130.5](#), which provides that undocumented aliens are exempt under certain circumstances from paying the nonresident tuition at State University and California Community Colleges which out-of-state U.S. citizens are required to pay. For more details on *Martinez*, see [the Other update page](#).