

The Appellate Strategist

INSIGHTS ON APPELLATE ISSUES, TRIAL CONSULTATIONS, AND EVALUATING APPEALS

[Preemption, Standing and Vexatious Litigants on California Supreme Court's May Argument Docket](#)

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The California Supreme Court has scheduled [oral arguments for May](#), including four civil cases.

- *Brown v. Mortensen*: The Court will address whether the Federal Credit Reporting Act ([15 U.S.C. § 1681 et seq.](#)) preempts causes of action for the improper disclosure of medical information under California's Confidentiality of Medical Information Act ([Civ. Code, § 56 et seq.](#)). This case attracted one amicus brief in support of appellants (by the National Association of Consumer Advocates). For more details about *Brown*, see the [B & P 17200/Class Actions/Commercial update page](#).
- *Save the Plastic Bag Coalition v. City of Manhattan Beach*: Does the plaintiff, an association of plastic bag manufacturers, have standing to challenge a local ban on the use of plastic bags? The Court also granted review to address whether the ordinance was properly held invalid for the failure to prepare an environmental impact report. This case has generated significant amicus interest, including four amicus briefs supporting the City's ordinance (by Heal the Bay, Manhattan Beach Residents Association, Californians Against Waste, and [jointly] the League of California Cities and California State Association of Counties) and one supporting the plastic bag manufacturers (by the Pacific Legal Foundation). For more details about *Save the Plastic Bag Coalition*, see the [Environmental update page](#).
- *Shalant v. Girardi*: If a vexatious litigant subject to a pre-filing order files a lawsuit while represented by counsel, may the litigant proceed in propria persona without first obtaining the approval of the presiding judge under [C.C.P. § 391.7](#) should counsel later withdraw? The Court of Appeal thought so, reversing the trial court's dismissal. This case attracted one amicus brief supporting the plaintiff vexatious litigant (by the Los Angeles Society For The Prevention Of Cruelty To Animals). For more details about *Shalant*, see the [Attorney-Related update page](#).
- *In re K.C.*: What injury is needed for a parent to have standing to contest the denial of a petition to place his child with the child's grandparents? This case attracted one amicus brief in favor of the Kings County Human Services Agency (by the California State Association of Counties). For more details about *In Re K*, see the [Other update page](#).