SUPREME COURT MINUTES
WEDNESDAY, MARCH 6, 2002
SAN FRANCISCO, CALIFORNIA

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on March 6, 2002, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegar, Chin, Brown, and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Harry Kinney, Supreme Court Marshal.

S094039 The People, Plaintiff and Respondent
v.
Robert Gene Sinohui, Defendant and Appellant
(To be called and continued to a future calendar.)

S081791 Dana E. Zelig et al., Plaintiffs and Appellants
v.
County of Los Angeles et al., Defendants and Respondents
Cause called. Steven J. Renick argued for Respondents.
Edward M. Medvene argued for Appellants.
Mr. Renick replied.
Cause submitted.

S090710 The People, Plaintiff and Respondent
v.
Naasir A. Talibdeen, Defendant and Appellant
Cause called. Richard Lennon argued for Appellant.
David A. Voet, Deputy Attorney General, argued for Respondent.
Mr. Lennon replied.
Cause submitted.

S024116 The People, Respondent
v.
Michael Corey Slaughter, Appellant
Cause called. John F. Schuck argued for Appellant.
Harry Joseph Colombo, Deputy Attorney General, argued for Respondent.
Mr. Schuck replied.
Cause submitted.

S009038 In re Robert M. Sanger on Contempt

The People, Respondent
v.
Richard Dean Turner, Appellant
Appearing: Robert M. Sanger
At the conclusion of the March 6, 2002, hearing on this matter, the court made the following rulings in open court:
1. The court found Robert M. Sanger in contempt of court and indicated that a formal judgment, embodying the court's findings and the sanction to be imposed, would be filed at a later date.
2. The court ordered Robert M. Sanger to complete a full draft of appellant's opening brief in this case and submit it to the California Appellate Project on or before April 5, 2002. He was further ordered to complete appellant's opening brief in this case and lodge it with the court on or before May 6, 2002. If the completed brief is not lodged with the court on or before May 6, 2002, the court will consider issuing an order directing Robert M. Sanger to show cause before this court, when the matter is ordered on calendar, why he should not be held in contempt of court a second time and why an additional sanction should not be imposed for his continuing delay of the appellate process. (Code Civ. Proc., § 1218, subd. (a).) Sanger was further ordered to appear before the court at its May 2002 oral argument calendar, at a specific time and date to be set in the future.

Court adjourned.

S025519 People, Respondent
v.
Colin Raker Dickey, Appellant
On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including May 1, 2002.
No further extensions of time are contemplated.

S033360 People, Respondent
v.
Keone Wallace, Appellant
Due to clerical error, the order filed in the above matter on February 25, 2002, is amended to read as follows:
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including April 29, 2002.

S035348 People, Respondent
v.
Robert Lee Smith, Appellant
Good cause appearing, and based upon counsel Scott F. Kauffman's representation that he anticipates filing the appellant's opening brief by September 2002, counsel's request for an extension of time in which to file that brief is granted to April 30, 2002. After that date, only three further extensions totaling 150 additional days are contemplated.

S035367 People, Respondent
v.
Cedric S. Harrison, Appellant
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including April 29, 2002.

S036864 People, Respondent
v.
Jose Francisco Guerra, Appellant
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including May 6, 2002.

S045078 People, Respondent
v.
Royal Clark, Appellant
Good cause appearing, and based upon counsel Melissa Hill's representation that she anticipates filing the appellant's opening brief by October 1, 2002, counsel's request for an extension of time in which to file that brief is granted to April 30, 2002. After that date, only three further extensions totaling 150 additional days are contemplated.

S055652 People, Respondent
v.
Freddie Fuiava, Appellant
Good cause appearing, counsel's request for an extension of time in which to file the appellant's opening brief is granted to May 10, 2002. The court anticipates that after that date, only three further extensions totaling 150 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record of this schedule, and take all steps necessary to meet this schedule.

S068230 People, Respondent
v.
Raymond Oscar Butler, Appellant
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including May 7, 2002.

S082112 People, Respondent
v.
Richard Hurtado, Appellant
On application of appellant Richard Hurtado and good cause appearing, it is ordered that the time to serve and file appellant's reply brief on the merits is extended to and including March 12, 2002.

S097308 Advanced Bionics Corporation et al., Respondents
v.
Medtronics, Inc., Appellant
And Companion Case
On application of appellant and good cause appearing, it is ordered that the time to serve and file consolidated answers to all amicus curiae briefs is extended to and including April 30, 2002.

S100809 Matthew Pavlovich, Petitioner
v.
Santa Clara County Superior Court, Respondent
DVD Copy Control Association, Inc., Real Party in Interest
On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to and including March 26, 2002.
No further extensions of time will be granted.

1st Dist. A097571 Silgan Containers
v.
WCAB, Daniel Wiltfong
The above-entitled matter, now pending in the Court of Appeal, First Appellate District, is transferred to the Court of Appeal, Fifth Appellate District.

S090057 In the Matter of the Suspension of Attorneys
Pursuant to Rule 962, California Rules of Court
Having been provided proof of compliance pursuant to Family Code 17520, the suspension of **Timothy L. Taggart** pursuant to our order filed on January 8, 2002, is hereby terminated
This order is final forthwith.

S093390 In re **Richard Alan Kernodle** on Discipline
It is ordered that the probation imposed upon **Richard Alan Kernodle, State Bar No. 112513,** in Supreme Court matter S093390 (State Bar Court Case No. 99-O-13225) shall be extended for six months, subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving

Stipulation as Modified filed December 31, 2001. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S102864 In re **James A. Schropp** on Discipline

It is ordered that **James A. Schropp**, **State Bar No. 157475**, be suspended from the practice of law for four years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for two years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on October 29, 2001. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti* v. *State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S102872 In re **Norman L. Goodfriend Jr.** on Discipline

It is ordered that **Norman L. Goodfriend Jr.**, **State Bar Number 81136,** be disbarred from the practice of law in the State of California and that his name be stricken from the Roll of Attorneys of all persons admitted to practice in this state. Goodfriend is ordered to comply with rule 955 of the California Rules of Court and

to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar.
*(See Bus. and Prof. Code, § 6126, subd. (c).)

S102960 In re **Gregory Paul Mutz** on Discipline

It is hereby ordered that **Gregory Paul Mutz**, **State Bar No. 153481**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.
*(See Bus. and Prof. Code, § 6126, subd. (c).)

S103068 In re **Donald Martin Wanland, Jr.,** on Discipline

It is ordered that **Donald Martin Wanland, Jr., State Bar No. 122462**, be suspended from the practice of law for 30 days and until he complies with the probation conditions imposed herein, that execution of the suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on August 21, 2001, as modified by its order filed October 3 and 25, 2001. Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2003, 2004 and 2005.

S103267 In re **Stephen M. Hogg** on Discipline

It is ordered that **Stephen M. Hogg**, **State Bar No. 53765**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on October 26, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti* v. *State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code

section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S103280 In re **Tracy Lynn Williams** on Discipline

It is ordered that **Tracy Lynn Williams**, **State Bar No. 161265**, be suspended from the practice of law for two years and until she complies with the requirements of standard 1.4(c)(ii) as set forth more fully below, that execution of the suspension be stayed, and that she be placed on probation for three years on condition that she be actually suspended for one year and until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. **Tracy Lynn Williams** is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 23, 2001. She is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.***** Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2003, 2004 and 2005. (Bus. & Prof. Code section 6086.10.)

*****(See Bus. and Prof. Code, § 6126, subd. (c).)

S103282 In re **Merle Norman Schneidewind** on Discipline

It is ordered that **Merle Norman Schneidewind**, **State Bar No. 58242**, be suspended from the practice of law for six months, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed October 29, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S103284 In re **G. Bruce Spence** on Discipline

It is ordered that **G. Bruce Spence**, **State Bar No. 139100**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 90 days. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed October 22, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) **G. Bruce Spence** is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.***** Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*****(See Bus. and Prof. Code, § 6126, subd. (c).)

--- Inquiry Concerning Judge Bruce Van Voorhis, No. 165

Judge Roy B. Cazares of the Superior Court of San Diego County is currently appointed as a special master in this matter. Judge Cazares is scheduled to retire as an active judge on March 31, 2002. Judge Cazares' appointment as a special master in this matter will continue after his retirement.

Dated: March 6, 2002

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council