

CALIFORNIA CIVIL PRACTICE

Business Litigation

Fall 2025 Edition

Issued in October 2025

VOLUME 1

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**With additional updates by
the Publisher's Editorial Staff**

Chapters 1 to 13



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Mat #43284636

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CALIFORNIA CIVIL PRACTICE
is the second edition of CAL PRACTICE

ISBN: 978-1-668-79602-3

Highlights of the Fall 2025 Edition Business Litigation (California Civil Practice)

The Fall 2025 Edition includes coverage of recent developments concerning business litigation in California, including the latest case law, statutory and regulatory changes and new and revised forms. Among the matters covered in this edition are:

- An owner of an LLC that ran a cryptocurrency exchange filed a derivative complaint against other owners. When they were in trial, the parties settled with the assistance of a settlement judge. Later, the plaintiff filed a motion to set aside the settlement while the other owners brought a motion to enforce it, which the trial court granted. The appellate court reversed, finding that neither the settlement judge nor the trial judge who granted the motion to enforce had properly reviewed or approved the settlement. The court analogized the review to that involving a class action settlement. See § 2:1
- A doctor who was summarily suspended successfully challenged it in a peer review committee hearing. When the peer review committee's decision was overturned by the medical corporation's board of directors, he sought administrative mandamus under C.C.P. Section 1094.5. Held, Business & Professions Code Sections 809 to 809.8 require minimum procedures when action is taken against a licensed health professional. The peer review body must be composed of other licensed health care professionals and in this case, the corporation's board was not. The board exceeded its powers in reversing the decision of the peer review committee. See § 21:69
- Damages under Fair Debt Buying Practices Act are (1) available upon statutory violation and (2) intended to do more than remedy actual injury. The Fair Debt Buy-

ing Practices Act (FDBPA) does not require parties seeking statutory damages to suffer concrete harm in order to have standing. Under the provision of the FDBPA stating that a debt buyer which violates the Act with respect to any person is liable to that person for the sum of any actual damages sustained and statutory damages, with additional damages available in class actions, there is no requirement of actual damages for standing to sue in either an individual or class claim; rather, a violation of the informational right under the Act permits those who experienced a violation of that right to recover statutory damages. See § 59:10



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