

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION THREE

CRYSTAL GEYSER WATER
COMPANY,

Petitioner,

v.

THE SUPERIOR COURT OF SAN
MATEO COUNTY,

Respondent;

EARTH ISLAND INSTITUTE,

Real Party in Interest.

A171249

(San Mateo County
Super. Ct. No. 20CIV01213)

BY THE COURT:*

The court is in receipt of a letter dated September 16, 2024 from counsel for the Chamber of Commerce of the United States of America, the California Chamber of Commerce, Consumer Brands Association, and the National Association of Manufacturers. This letter is construed as an application to submit an amicus curiae brief, and is denied. The court generally does not accept for filing amicus curiae briefs in writ proceedings until after an order to show cause or an alternative writ is issued (Cal. Rules of Court, rule 8.487(e)), and the court sees no reason to depart from that practice in this instance.

The petition for writ of mandate, prohibition, or other extraordinary relief is denied. The court declines to review the issue raised in the petition by extraordinary writ. (*Lamadrid v. Municipal Court* (1981) 118 Cal.App.3d 786, 789.) The factors asserted by petitioners in favor of writ review are outweighed by other considerations, including but not limited to the petition's request for piecemeal review of a single cause of action in a case involving more than one cause of action and petitioners' failure to persuasively

* Fujisaki, Acting P.J., Petrou, J., and Rodríguez, J.

demonstrate that they lack other adequate remedies at law absent writ review. The petition also fails to allege or demonstrate that petitioners will suffer irreparable harm absent review by extraordinary writ. (See *Los Angeles Gay & Lesbian Center v. Superior Court* (2011) 194 Cal.App.4th 288, 299-300.) Finally, “[t]he Court of Appeal is generally in a far better position to review a question when called upon to do so in an appeal instead of by way of a writ petition. When review takes place by way of appeal, the court has a more complete record, more time for deliberation and, therefore, more insight into the significance of the issues.” (*Omaha Indemnity Co. v. Superior Court* (1989) 209 Cal.App.3d 1266, 1273.)

Dated: October 3, 2024

Tucher, P.J.
Presiding Justice