

COPY

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
IN AND FOR THE
FIRST APPELLATE DISTRICT
DIVISION FIVE

MASTERCARD INTERNATIONAL INC., et al.,
Petitioners,

v.

THE SUPERIOR COURT OF SAN FRANCISCO COUNTY,
Respondent;

CALIFORNIA LAW INSTITUTE,
Real Party in Interest.

Court of Appeal No. A108995
San Francisco Co. Super. Ct. No. CGC03421180

FILED

FEB 03 2005

Court of Appeal - First App. Dist.
DIANA HERBERT
By _____

BY THE COURT:*

The petition for writ of mandate is denied. The petition fails to articulate compelling circumstances warranting review by extraordinary writ or demonstrate that petitioners will suffer irreparable harm absent writ review. (*Babb v. Superior Court* (1971) 3 Cal.3d 841, 851; *James W. v. Superior Court* (1993) 17 Cal.App.4th 246, 252; *Omaha Indemnity Co. v. Superior Court* (1989) 209 Cal.App.3d 1266, 1269, 1272-1274.) The court observes that the petition no longer raises issues of first impression, given that on February 1, 2005, Division Four of this court issued an opinion in *Californians for Disability Rights v. Mervyn's, LLC* (Feb. 1, 2005, A106199) ___ Cal.App.4th ___.

Date FEB 03 2005

JONES, P.J. P.J.

* Jones, P.J. Stevens, J. Simons, J. Gemello, J.