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November 22, 2002

File no. 99-0204

Supreme Case No.: S110916

Honorable Ronald M. George, Chief Justice,
and the Associate Justices
SUPREME COURT OF CALIFORNIA
350 McAllister Street
San Francisco, CA 94102-4783

Re: *Jerold Friedman v. Southern California Permanente Medical Group, et al.*
Supreme Case No.: S110916
Court of Appeal Case No.: B150017

Dear Chief Justice and the Associate Justices:

The Respondents appear not to have raised any new issues that they wish the Court to consider should review be granted, although they may not have completely accurately set forth the issues raised in Petitioner's Petition for Review. [See *California Rules of Court* 28(e)(5)]. In that a Petitioner may *only* file a Reply if new issues are raised by Respondents in their Answer, [*California Rules of Court* 28(d)], and in that no new issues were raised, Petitioner is not filing a Reply.

However, notwithstanding this, the Petitioner has just recently found a case from a different Court of Appeal District that may be considered to conflict with the *Friedman v. Southern California Permanente* case at issue. In *Best v. California Apprenticeship Council* (1984, Fourth Appellate District) 161 Cal.App.3d 626, the Court of Appeal provided religious discrimination protections to a Roman Catholic who was opposed to nuclear power, based upon his anti-nuclear beliefs despite the fact that anti-nuclear power beliefs were apparently based only upon his personal interpretation of his religion, and not official church doctrine. This demonstrates that having supernatural-religion as a controlling factor to the disregard of sincerity or intensity of belief, as stated or implied by the Court of Appeal in the *Friedman v. Southern California Permanente* case at issue, conflicts with having instead the individual's sincerity or intensity of belief being a controlling factor, as stated or implied in *Best v. California Apprenticeship Council* (1984, Fourth Appellate District) 161 Cal.App.3d 626, in determining whether a belief is religious.¹

¹ The *Best v. California Apprenticeship Council* (1984, Fourth Appellate District) 161 Cal.App.3d 626 decision was further mentioned in its companion case at *Best v. California Apprenticeship Council* (1987, Fourth Appellate District) 193 Cal.App.3d 1448 , 240 Cal.Rptr. 1.

Honorable Ronald M. George, Chief Justice
SUPREME COURT OF CALIFORNIA

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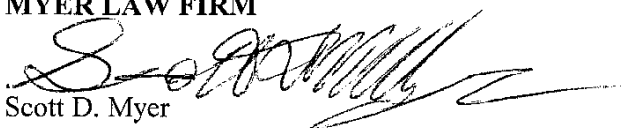
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It is respectfully submitted.

Very truly yours,

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By:


Scott D. Myer

Attorney for Appellant,

JEROLD DANIEL FRIEDMAN,

also known as JERRY FRIEDMAN

Enclosure (proof of service list)

cc: Jerold ("Jerry") Friedman

ATTORNEY'S CERTIFICATE OF SERVICE BY MAIL

[Code Civ. Proc. § 1013a(2)]

I, SCOTT D. MYER, certify:

I am, and at all times mentioned herein was, an active member of the State Bar of California and not a party to the above-entitled cause. My business address is Myer Law Firm, 11040 Santa Monica Boulevard, Suite 320, Los Angeles, CA 90025-7515.

I served the attached **November 22, 2002 Notice of No Reply and Supplemental Authority Letter**, on November 22, 2002, by depositing a copy of the document in the United States mail at City of Los Angeles, County of Los Angeles, State of California, in a sealed envelope, with first class or Priority Mail postage fully prepaid, addressed to:

**Mr. F. Scott Page
Ms. Debbie Freedman
SEYFARTH SHAW
2029 Century Park East, Suite 3300
Los Angeles CA 90067-3063**

**(Attorney of record for Respondents,
Attorney of record for SOUTHERN
CALIFORNIA PERMANENTE
MEDICAL GROUP, KAISER
FOUNDATION HOSPITALS and
KAISER FOUNDATION HEALTH
PLAN, INC.)**

**COURT OF APPEALS
Second Appellate District
Attn.: Court Clerk
300 South Spring Street, 2nd Floor
Los Angeles, CA 90013-1213**

(Appellate Court)

**LOS ANGELES SUPERIOR COURT
Hon. Cesar C. Sarmiento, Judge
Attn.: Court Clerk
111 North Hill Street
Los Angeles, CA 90012**

(Court Appealed From)

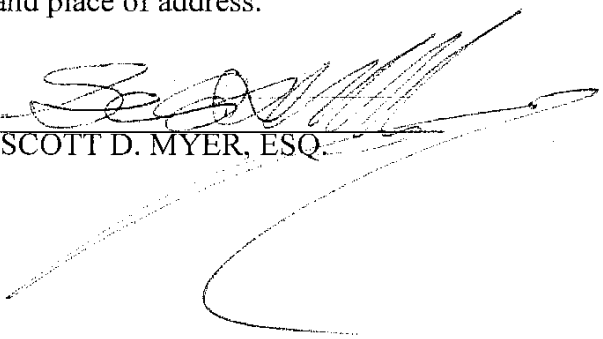
**LOS ANGELES SUPERIOR COURT
Hon. Ronald M. Sohigian, Judge
Attn.: Court Clerk
111 North Hill Street
Los Angeles, CA 90012**

(Court Appealed From)

who are the attorneys of record for the Defendants, the Court appealed from and the Supreme Court. At that time there was regular delivery of United

States mail between the place of deposit and place of address.

Dated: November 22, 2002



SCOTT D. MYER, ESQ.