

CALIFORNIA COURT OF APPEAL, SECOND APPELLATE DISTRICT,  
DIVISION ONE

Black v. Los Angeles County Metropolitan Transportation Authority

Black v. Los Angeles County Metropolitan Transportation Authority · No. B339694 · Decided December 2,  
2025

SUMMARY

The California Court of Appeal held that the Public Transportation Services Corporation is a public entity subject to the Government Claims Act because of its creation by and relationship with the Los Angeles County Metropolitan Transportation Authority. The court nevertheless concluded that the plaintiff could amend his complaint to allege that the corporation failed to comply fully with statutory registration requirements, which could excuse compliance with the claims presentation requirement. The judgment was affirmed as to the MTA and reversed as to PTSC.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | California Court of Appeal, Second Appellate District, Division One                                                                                                                                                                                                                                                                                                     |
| WRITING FOR THE COURT | Bendix, J.; Rothschild, P. J.; Weingart, J.                                                                                                                                                                                                                                                                                                                             |
| JURISDICTION          | California Court of Appeal, Second Appellate District, Division One                                                                                                                                                                                                                                                                                                     |
| DECIDED               | December 2, 2025                                                                                                                                                                                                                                                                                                                                                        |
| DOCKET                | B339694                                                                                                                                                                                                                                                                                                                                                                 |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                                                                                                                                                   |
| PROCEDURAL POSTURE    | Plaintiff appealed from a judgment entered after the trial court sustained defendants' demurrer without leave to amend based on failure to plead compliance with the Government Claims Act.                                                                                                                                                                             |
| STANDARD OF REVIEW    | The court independently reviewed the ruling on the demurrer de novo, accepting well-pleaded allegations as true and disregarding contentions, deductions, and legal conclusions. The denial of leave to amend was reviewed for abuse of discretion, with the question being whether there was a reasonable possibility the pleading defect could be cured by amendment. |
| PRECEDENTIAL VALUE    | Published and certified for publication                                                                                                                                                                                                                                                                                                                                 |
| PARTIES               | Andrew Black v. Los Angeles County Metropolitan Transportation Authority, Public Transportation Services Corporation                                                                                                                                                                                                                                                    |

## TOPICS

pleadings

motion for judgment on the pleadings

civil procedure

appellate procedure

municipal law

## PRACTICE AREAS

civil procedure

appellate procedure

municipal law

employment law

administrative law

## QUESTIONS PRESENTED

1. Whether PTSC, a nonprofit public benefit corporation created by MTA and operating under MTA's control, is a public entity subject to the Government Claims Act's claims presentation requirement.
2. Whether PTSC's alleged failure to register with the Secretary of State and the county clerks of counties where it maintained offices could excuse Black's failure to present a claim under Government Code section 946.4.
3. Whether Black was entitled to leave to amend to allege PTSC's noncompliance with the public-agency registration requirements.

## HOLDINGS

1. PTSC is a public entity for purposes of the Government Claims Act's claims presentation requirement.
2. Black was entitled to amend his complaint to allege that PTSC had not fully complied with Government Code section 53051, because such noncompliance could excuse the claims presentation requirement under section 946.4.

## KEY QUOTATIONS

*"We agree with plaintiff, however, that PTSC's alleged failure to register on the Registry of Public Agencies would excuse plaintiff's noncompliance with the GCA." (at 2)*

*"Like SDCCC, PTSC " 'acts as the instrument' " of MTA (Allen, supra, 86 Cal.App.5th at p. 599) by supplying and managing the workers who carry out MTA's mission." (at 16)*

*"In sum, PTSC is a public entity for purposes of the GCA's claims presentation requirement." (at 21)*

*"Absent that evidence, defendants have not demonstrated compliance with section 53051 or section 946.4." (at 26)*

## FACTUAL BACKGROUND

MTA created PTSC, a nonprofit public benefit corporation, under statutory authority to provide retirement benefits and other personnel and transportation-related services supporting MTA's public transportation mission. PTSC's authority and responsibilities were limited by MTA, and PTSC functioned as an organizational unit of MTA while remaining a legally distinct corporation. Black alleged that PTSC wrongfully terminated him and violated Labor Code section 970, but he did not allege that he had presented a written claim under the Government Claims Act before filing suit.

## PROCEDURAL HISTORY

Black sued MTA and PTSC for wrongful termination in violation of public policy and Labor Code section 970 violations. The trial court granted defendants' motion for judgment on the pleadings, allowed amendment, then sustained defendants' demurrer to the first amended complaint without leave to amend and entered judgment for defendants. The Court of Appeal affirmed the judgment for MTA, reversed the judgment for PTSC, and remanded for further proceedings, including possible amendment concerning PTSC's registration under Government Code section 53051.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

The judgment in favor of MTA remains affirmed. The judgment in favor of PTSC is reversed and the matter is remanded for further proceedings. On remand, the trial court may address amendment concerning PTSC's compliance with Government Code sections 53051 and 946.4, defendants' motion to strike, and alternative grounds for demurrer. Defendants may present evidence concerning PTSC's registration with the relevant county clerks.

## CASES CITED

- One Technologies, LLC v. Franchise Tax Bd. (2023) 96 Cal.App.5th 748
- Heshejin v. Rostami (2020) 54 Cal.App.5th 984
- J.M. v. Huntington Beach Union High School Dist. (2017) 2 Cal.5th 648
- Silver v. Los Angeles County Metropolitan Transportation Authority (2000) 79 Cal.App.4th 338
- Hagman v. Meher Mount Corp. (2013) 215 Cal.App.4th 82
- United National Maintenance, Inc. v. San Diego Convention Center, Inc. (9th Cir. 2014) 766 F.3d 1002
- Knapp v. Palisades Charter High School (2007) 146 Cal.App.4th 708
- Wells v. One2One Learning Foundation (2006) 39 Cal.4th 1164
- Los Angeles Leadership Academy, Inc. v. Prang (2020) 46 Cal.App.5th 270
- Gateway Community Charters v. Spiess (2017) 9 Cal.App.5th 499
- Lawson v. Superior Court (2010) 180 Cal.App.4th 1372
- Tubbs v. Southern Cal. Rapid Transit Dist. (1967) 67 Cal.2d 671
- Santee v. Santa Clara County Office of Education (1990) 220 Cal.App.3d 702