

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

JAMES C. FOLGELSTROM,

Plaintiff and Appellant,

v.

LAMPS PLUS, INC.,

Defendant and Respondent.

B221376

(Los Angeles County
Super. Ct. No. JCCP4532)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGMENT]

THE COURT:*

It is ordered that the opinion filed herein on April 29, 2011, be modified as follows:

On page 6, third full paragraph, line 25, the word "defendant's" should be replaced with "plaintiff's." The sentence should read as follows: "Indeed, we have found no case which imposes liability based on the defendant obtaining unwanted access to the plaintiff's private information which did not also allege that the *use* of plaintiff's information was highly offensive."

There is no change in the judgment.

* ARMSTRONG, J

TURNER, P. J.

MOSK, J.