

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT  
(Placer)

JAMES DOBBAS et al.,  
  
Plaintiffs,  
  
v.

FRED VITAS et al.,  
  
Defendants, Cross-  
Complainants and Respondents;

CALFARM INSURANCE COMPANY,  
  
Cross-Defendant and  
Respondent;

AMERICAN GUARANTEE AND LIABILITY  
INSURANCE COMPANY,  
  
Movant and Appellant.

C061494

(Super. Ct. No.  
SCV15662)

MODIFICATION OF  
OPINION UPON DENIAL OF  
PETITION FOR REHEARING

THE COURT:

The opinion of this court filed January 7, 2011, in the  
above entitled case is modified as follows:

1. On page 2, delete the last sentence of the first paragraph beginning with "However,".

2. On page 4, 11th line down, insert a "." after reimbursement and delete the rest of the sentence.

3. On page 4, second paragraph, take out the first sentence beginning with "Where two".

4. On page 11, first full paragraph, change the last sentence to read as follows:

"This case differs in that American Guarantee seeks reimbursement not from the party that caused the loss it covered, but from another party that is alleged to have been contractually bound to procure insurance for the loss."

5. On page 16, delete the last paragraph, all of page 17, and the first partial paragraph on page 18, ending in "settlement."

As modified, the petition for rehearing is denied. This modification does not effect a change in the judgment.

BY THE COURT:

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RAYE, P. J.

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BLEASE, J.

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NICHOLSON, J.