

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

JOHN C. GORMAN et al.,

Plaintiffs and Appellants,

v.

TASSAJARA DEVELOPMENT  
CORPORATION et al.,

Defendants and Respondents.

H031196

(Santa Clara County  
Super. Ct. No. CV011261)

ORDER MODIFYING OPINION  
AND DENYING REHEARING

NO CHANGE IN THE JUDGMENT

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THE COURT:

It is ordered that the opinion filed herein on October 6, 2009, be modified as follows:

1. On page 56, line 15, after the first sentencing ending with “practitioner” and before the second sentence starting with “In *Trope*” insert the following sentence:

It is also settled that, if the Gorman firm had represented itself in litigation, it would not be able to recover for its own attorney fees.

There is no change in the judgment.

Appellant's petition for rehearing is denied.

Dated:

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RUSHING, P.J.

WE CONCUR:

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PREMO, J.

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ELIA, J.