## IN THE SUPREME COURT OF CALIFORNIA

)
) )
) S128442
) Ct.App. 4 G031061
)
) Orange County
) Super. Ct. No. 01WF2416

## MODIFICATION OF OPINION

## THE COURT:

The opinion herein, filed on November 27, 2006, is modified as follows:

The second sentence in the second full paragraph on page 12 of the filed opinion is modified to read: "Because we conclude that the MMP applies to this case, it is unnecessary to resolve the split of authority between *Trippet* and *Young*."

This modification does not affect the judgment.