

CERTIFIED FOR PUBLICATION

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FIVE**

**LUCKY UNITED PROPERTIES
INVESTMENT, INC., et al.,**

**Cross-Complainants and
Respondents,**

v.

ALBERT LEE,

Cross-Defendant and Appellant.

A124965

**ORDER MODIFYING OPINION
[NO CHANGE IN JUDGMENT]**

**(San Francisco County
Super. Ct. No. 454503)**

BY THE COURT:

It is ordered that the opinion filed herein on May 28, 2010, be modified as follows:

On page 25, the first sentence of the first full paragraph is modified by replacing “In its respondent’s brief, Lucky now morphs his” with “Nor could Lucky morph its,” so that the sentence now reads: “Nor could Lucky morph its Civil Code section 1479 argument into a claim that it wanted to direct its payment to the principal portion of the debt arising from the August 20 Order, as opposed to the portion attributable to the interest that had accrued on the August 20 Order.”

Typographical errors will be corrected upon publication in the official reports.

The modification effects no change in the judgment.

The petition for rehearing is denied.

Date _____, P.J.