

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FIVE

**COTCHETT, PITRE & MCCARTHY,**

**Plaintiff and Respondent,**

**v.**

**UNIVERSAL PARAGON  
CORPORATION et al.,**

**Defendant and Appellant.**

**A126149**

**(San Francisco County  
Super. Ct. No. CPF-09-509649)**

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

**BY THE COURT:**

It is ordered that the opinion filed herein on August 31, 2010 be modified as follows:

On page 5, the introductory clause of the third sentence of the first full paragraph (immediately following the heading for section C. of the Facts and Procedural History), which currently reads, “Paragraph 3 of the agreement was entitled ‘FEES AND COSTS,’ and provided as follows” is modified to read, “The portion of the agreement entitled ‘FEES AND COSTS’ provided as follows.”

The modification does not effect a change in the judgment.

The petition for rehearing is denied.

Date \_\_\_\_\_ P.J.