

CERTIFIED FOR PARTIAL PUBLICATION*

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

MARLEEN SACKS,

Plaintiff and Appellant,

v.

CITY OF OAKLAND,

Defendant and Appellant.

A126781

(Super. Ct. No. RG08-380286)

**ORDER MODIFYING OPINION
AND DENYING REHEARING
[NO CHANGE IN JUDGMENT]**

MARLEEN SACKS,

Plaintiff and Appellant,

v.

CITY OF OAKLAND,

Defendant and Respondent.

A126817

THE COURT:

It is ordered that the opinion filed herein on December 10, 2010, be modified in the following particular:

1. On page 33, the second paragraph of the Disposition, consisting of one sentence, is modified. The paragraph will now read:

Each side to bear its own costs.

There is no change in the judgment.

The petition for rehearing is denied.

Date: January 5, 2011

Marchiano, P. J.

* Pursuant to California Rules of Court, rules 8.1105(b) and 8.1110, this opinion is certified for publication with the exception of part III. of the Discussion of Petitioner's Appeals (beginning on p. 26).

Trial Court

Alameda County Superior Court

Trial Judge

Honorable Frank Roesch

For Plaintiff and Appellant
Marleen Sacks

Donahue Gallagher Woods
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Marleen L. Sacks, Esq.

For Defendant, Appellant and Respondent
City of Oakland

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