

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

VIGILANT INSURANCE COMPANY,

Plaintiff and Respondent,

v.

ROBERT C. CHIU et al.,

Defendant and Appellant.

B209550

(Los Angeles County
Super. Ct. No. KC048092)

ORDER MODIFYING OPINION
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on June 29, 2009, be modified as follows:

1. Page 8, please delete lines 3-8 (whole paragraph) and replace with the following:

A restitution order reimburses only for economic losses (Pen. Code, § 1202.4, subd. (f)(3)), not noneconomic losses, which can be recoverable in a civil judgment.

A restitution order designed to make a victim whole is not a substitute for civil damages, and we reject Robert's argument to the contrary.

[No change in judgment.]