

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT  
(San Joaquin)

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NANCY A. SCHMIDLI et al.,  
  
Plaintiffs and Respondents,  
  
v.  
  
RODNEY K. PEARCE et al.,  
  
Defendants and Appellants.

C058270

(Super. Ct. No.  
CV030409)

ORDER MODIFYING  
OPINION  
[NO CHANGE IN  
JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on October 13, 2009, be modified as follows:

The first sentence of the second full paragraph on page 18 shall be deleted. The following sentence shall be inserted in its place:

By codifying *Ung*, the Legislature clarified that a notice of default was not part of the record for purposes of determining the applicable statute of limitations under section 882.020.

This modification does not change the judgment.

THE COURT:

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BLEASE, Acting P. J.

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NICHOLSON, J.

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ROBIE, J.