

CERTIFIED FOR PARTIAL PUBLICATION*

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

MEPCO SERVICES, INC.,

Plaintiff, Cross-Defendant and
Respondent,

v.

SADDLEBACK VALLEY UNIFIED
SCHOOL DISTRICT,

Defendant, Cross-Complainant and
Appellant;

HARTFORD FIRE INSURANCE
COMPANY,

Cross-Defendant and Respondent.

D055018

(Super. Ct. No. 37-2008-00086601-
CU-BC-CTL)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGEMENT]

THE COURT:

It is ordered that the opinion filed herein on November 2, 2010 be modified as follows:

* Pursuant to California Rules of Court, rule 8.1110, this opinion is certified for publication with the exception of part III.A. through E.

On page 66, in the last paragraph and at the end of the first sentence, the following footnote is added after the words "attorneys' fees in addition to other costs." The footnote will become footnote 26, which will require renumbering of all subsequent footnotes.

Civil Code section 1717, subdivision (a) also states: "Where a contract provides for attorney's fees, as set forth above, that provision shall be construed as applying to *the entire contract*, unless each party was represented by counsel in the negotiation and execution of the contract, and the fact of that representation is specified in the contract." Neither party raises an argument about this portion of the statute on appeal. We therefore express no opinion with respect to the potential applicability of this portion of the statute to the issues in this cases.

There is no change in the judgment.

McCONNELL, P. J.

Copies to: All parties