

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FIVE

DAVID O. THUESON,

Plaintiff and Appellant,

v.

U-HAUL INTERNATIONAL, INC., et al.,

Defendants and Respondents.

A109509

(Humboldt County

Super. Ct. No. DR030584)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on November 3, 2006, be modified as follows:

1. On page 5, footnote 6, the entire sentence is deleted and replaced with the following sentence:

“Payment of an annual fee of \$500 or less under the CFIL is not considered a franchise fee. (Cal. Code Regs., tit. 10, § 310.011.)”

2. On page 8, the first sentence of the first full paragraph, beginning with “Our statutes” is deleted and the following sentence is inserted in its place:

“Our statutes set a low financial threshold for payments that may be considered franchise fees (\$100 under the CFRA [Bus. & Prof. Code, § 20007, subd. (d)] and \$500 annually under the CFIL [Cal. Code Regs., tit. 10, § 310.011]).”

There is no change in the judgment.

JONES, P.J.