

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

ALFONSO J. MEDINA et al.,  
  
Plaintiffs and Appellants,

v.

BOARD OF RETIREMENT,  
LOS ANGELES COUNTY  
EMPLOYEES RETIREMENT  
ASSOCIATION et al.,

Defendants and Respondents.

B161881

(Los Angeles County  
Super. Ct. No. BS068944)

ORDER MODIFYING OPINION  
[NO CHANGE IN JUDGMENT]

THE COURT:\*

It is ordered that the opinion filed herein on September 18, 2003, which was certified for publication on October 20, 2003, be modified as follows:

1. On page 8, after the first sentence of the second full paragraph ending with “to be doing” add the following sentence:

Here, respondents cannot be estopped from reclassifying appellants as general members, because they did not possess the authority to continue to classify appellants as safety members after they became district attorneys even though they appeared to be doing so.

2. Following the new sentence set forth above, add “Cf.” before the citation to *Crumpler v. Board of Administration, supra*, etc.

There is no change in the judgment.

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\*VOGEL (C.S.), P.J.

HASTINGS, J.

CURRY, J.