

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

KB HOME et al.,

Petitioners,

v.

THE SUPERIOR COURT OF  
LOS ANGELES COUNTY,

Respondent;

CONSOLIDATED INDUSTRIES CORP.  
et al.,

Real Parties in Interest.

No. B167912

(Los Angeles County  
Super. Ct. No. BC250181)

ORDER MODIFYING OPINION  
AND DENYING PETITION FOR  
REHEARING  
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed on October 23, 2003 be modified as follows:

1. On page 11, first full paragraph, line 4, the phrase “Consolidated suggests the following considerations” is modified to read “Consolidated identifies eight factors, which include the following considerations.”

2. On page 13, first full paragraph, line 1, the word “is” is modified to read “may be.”

These modifications do not change the judgment. The petition for rehearing filed by real party in interest Daniel L. Freeland, U.S. Bankruptcy Trustee for Consolidated Industries, Corp., is denied.

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PERLUSS, P. J.

WOODS, J.