

CERTIFIED FOR PUBLICATION
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION SIX

MICHAEL FITZ-GERALD, et al.,
Plaintiffs and Appellants,
v.
SKYWEST AIRLINES, INC.,
Defendant and Respondent.

2d Civil No. B187795
(Super. Ct. No. 1129514)
(Santa Barbara County)
ORDER MODIFYING OPINION AND
DENYING REHEARING
[No Change in Judgment]

THE COURT:

It is ordered that the opinion filed herein on September 19, 2007, be modified as follows:

1. On page 1, the last line change the word "designation to "destination" so the end of the sentence will then read: ". . . reaches its destination."

2. On page 5, third line of the first full paragraph, correct the spelling of the words "ande" and "principal" so the quote will then read::

"[s]ections 221, 222, and 223 articulate the princip[le] that all hours must be paid at the statutory *or agreed rate*, . . ."

3. On page 6, delete the first two lines of the second full paragraph and insert the following in their place:

United Air Lines, Inc. v. Industrial Welfare Co. (1963) 211 Cal.App.2d 729 [disapproved on another point in *Industrial Welfare Com. v. Superior Court* (1980) 27 Cal.3d 690, 728, fn. 15] illustrates the conflict that can arise between a state wage order and the RLA.

[There is no change in the judgment.]

Appellants petition for rehearing is denied.

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