

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(San Joaquin)

<p>TAMMY COLLINS et al.,</p> <p>Plaintiffs and Appellants,</p> <p>v.</p> <p>EMACHINES, INC., et al.,</p> <p>Defendants and Respondents.</p>	<p>C066092</p> <p>(Super. Ct. No. CV025760)</p> <p>ORDER MODIFYING PUBLISHED OPINION</p> <p>[NO CHANGE IN JUDGMENT]</p>
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THE COURT:

The opinion in the above-entitled matter filed on November 28, 2011, was certified for publication in the Official Reports on December 22, 2011.

It is also ordered that the published opinion be modified as follows:

At page 12 of the November 28, 2011 slip opinion, add the following two citations at the end of the third full paragraph of part II, after "(Daugherty, supra, 144 Cal.App.4th at p. 838.)" so that the paragraph now ends with:

“(Daugherty, *supra*, 144 Cal.App.4th at p. 838; see *In re Tobacco II Cases* (2009) 46 Cal.4th 298, 311-312; see also *Morgan v. AT&T Wireless Services, Inc.* (2009) 177 Cal.App.4th 1235, 1254-1257.)”

There is no change in judgment. **(CERTIFIED FOR PUBLICATION.)**

FOR THE COURT:

BLEASE, Acting P. J.

BUTZ, J.

DUARTE, J.