

**CERTIFIED FOR PUBLICATION**

COURT OF APPEAL - FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

ROBERT C. FRIESE, as Trustee,

Petitioner,

v.

THE SUPERIOR COURT OF SAN  
DIEGO COUNTY,

Respondent;

JOHN J. MOORES et al.,

Real Parties in Interest.

D046348

(San Diego County  
Super. Ct. No. GIC788659)

[CHANGE IN JUDGMENT]

THE COURT:

The opinion filed December 2, 2005, is modified as follows:

At the last paragraph of the opinion (disposition, slip opn., p. 25), replace the phrase "enter an order overruling the demurrers to the insider trading claims" with the phrase "conduct further proceedings consistent with the views we have expressed."

The petition for rehearing is denied.

There is a change in the judgment.

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BENKE, Acting P. J.

Copies to: All parties