

CERTIFIED FOR PUBLICATION
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION THREE

TODD KURTIN,

Plaintiff and Appellant,

v.

BRUCE ELIEFF,

Defendant and Appellant.

G043999

(Super. Ct. No. 30-2007-00100307)

ORDER MODIFYING OPINION;
CHANGE IN JUDGMENT

It is ordered that the opinion filed on June 27, 2012, be modified as follows:

1. On page 31, part (2) of the Disposition, the word “Kurtin’s” is changed to the word “Elieff’s” so the sentence reads: (2) As we modify the trial court’s new trial order, the issue of both Elieff’s liability under section 2343 and, *if* he is found to be liable, the amount of damages for which he will be liable will be the subject of the new trial.

Change in judgment.

RYLAARSDAM, ACTING P. J.

WE CONCUR:

ARONSON, J.

FYBEL, J.