

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

SJCBC, LLC, et al.,

Plaintiffs and Appellants,

v.

JOSEPH HORWEDEL, as Director, etc.,

Defendant and Respondent.

H036369

(Santa Clara County  
Super. Ct. No. CV170271)

**ORDER MODIFYING OPINION**

**NO CHANGE IN JUDGMENT**

**THE COURT:**

It is ordered that the opinion filed herein on November 30, 2011, be modified as follows:

1. On page 7, line 5, in the heading the letter “B.” is changed to “C.” so that the heading reads:

**C. Adequacy and Availability of an Administrative Remedy**

2. On page 7, line 13, the sentence starting with “Only the director” and ending on line 14 with “with an order” is deleted and the following sentence is inserted in its place:

Only the director can initiate a hearing.

3. On page 10, line 11, in the heading the letter “C.” is changed to “D.” so that the heading reads:

**D. Other Findings**

4. On page 12, the entire section “D. Conclusion” should be deleted.

There is no change in the judgment.

Dated:

---

RUSHING, P.J.

WE CONCUR:

---

PREMO, J.

---

DUFFY, J.\*

---

\* Retired Associate Justice of the Court of Appeal, Sixth Appellate District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.