

IN THE SUPREME COURT OF CALIFORNIA

RONALD G. LUND,)	
)	
Plaintiff and Respondent,)	
)	S099479
v.)	
)	Ct.App. 5 F034334
SAN JOAQUIN VALLEY RAILROAD,)	
)	
Defendant and Appellant.)	Kern County
)	Super. Ct. No. 235336
_____)	

THE COURT.—The opinion herein, appearing at 31 Cal.4th 1, is modified as follows:

The third complete paragraph on page 13, beginning, “At oral argument in this court,” is deleted.

This modification does not affect the judgment.