

CERTIFIED FOR PARTIAL PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

CONSUMER ADVOCACY GROUP, INC.
et al.,

Plaintiffs and Appellants,

v.

KINTETSU ENTERPRISES OF AMERICA
et al.,

Defendants and Respondents.

B158840

(Los Angeles County
Super. Ct. No. JCCP 4182)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGMENT]

THE COURT: *

It is ordered that the opinion filed herein on May 17, 2005, be modified as follows:

By striking the original asterisk footnote on page One in its entirety.

By adding the following asterisk footnote to page One:

Pursuant to California Rules of Court, rules 976(b) and 976.1, this opinion is certified for publication with the exception of (1) the paragraph of the Introduction which begins “The fourth appeal concerns”; and the last sentence of the Introduction which begins “We affirm the entry of summary judgment”; (2) the first paragraph of the Factual and Procedural Background I; (3) The conclusion of Discussion I; (4) Factual and Procedural Background II; (5) Discussion II; and (6) The first sentence of the Disposition.

This modification effects no change in the judgment.

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COOPER, P. J.

BOLAND, J.