

CERTIFIED FOR PARTIAL PUBLICATION\*  
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT  
DIVISION TWO

STEPHEN J. BARRETT et al.,  
Plaintiffs and Appellants,  
v.  
ILENA ROSENTHAL,  
Defendant and Respondent.

A096451

(Alameda County  
Super. Ct. No. 833021-5)

**ORDER MODIFYING OPINION  
[NO CHANGE IN JUDGMENT]**

THE COURT:

It is ordered that the opinion filed herein on January 21, 2004 after rehearing was granted, be modified as follows:

1. On page 57, the first full paragraph (the last paragraph of part V) is deleted in its entirety.

There is no change in the judgment.

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KLINE, P.J.

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\* Pursuant to California Rules of Court, rules 976(b) and 976.1, this opinion is certified for publication with the exception of parts III.B, III.C, IV and V.