

S232607

IN THE
SUPREME COURT OF CALIFORNIA

HECTOR ALVARADO

Plaintiff, Appellant and Petitioner

vs.

DART CONTAINER CORPORATION OF CALIFORNIA

Defendant and Respondent

AFTER A DECISION BY THE COURT OF APPEAL
FOURTH APPELLATE DISTRICT CASE NO. E061645
APPEAL From the Superior Court of Riverside County. Hon. Daniel A. Ottolia. (Super.
Ct. No. RIC1211707)

**NOTICE OF ERRATA RE:
APPELLANT'S ANSWER TO AMICUS BRIEFS**

(Service on Attorney General and District Attorney required by Bus. & Prof.
Code §§ 17209, 17536.5)

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HECTOR ALVARADO

RECEIVED

JAN 23 2017

CLERK SUPREME COURT

Appellant's Answer to Amicus Briefs in the above-referenced case was filed in this Court on January 17, 2017.

Upon review of the Brief, Counsel for Appellant noticed a sentence/paragraph that was not properly proofed, and as a consequence did not make sense; the second full paragraph on page 38 of the brief. As filed, it reads:

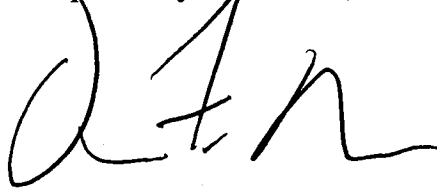
" 'Regular Rate' in California has definitely not contemplated, since at least the 1950's, through the repeated enactments of the expression by the IWC before and after the watershed case of *Skyline Homes*."

The idea that the Paragraph was supposed to convey, is set forth below in a substitute paragraph.

" 'Regular Rate' in California has definitely not contemplated fluctuation based on hours worked. Since at least the 1950's, through the repeated enactments of the expression "regular rate" by the IWC before and after the watershed case of *Skyline Homes*, this fact has been clear."

Dated: January 18, 2017

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'D.F. Moss', written over a horizontal line.

DENNIS F. MOSS, Attorney for
Plaintiff, Appellant Hector Alvarado

PROOF OF SERVICE

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of Los Angeles, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 15300 Ventura Boulevard, Suite 207, Sherman Oaks, California 91403.
2. That on January 18, 2017 declarant served the APPELLANT'S REPLY BRIEF by depositing a true copy thereof in a United States mail box at Sherman Oaks, California in a sealed envelope with postage fully prepaid and addressed to the parties listed on the attached service list.
3. That there is regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18 January 2017 at Sherman Oaks, California.



Lea Garbe

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