

**CERTIFIED FOR PUBLICATION**  
**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**  
**FOURTH APPELLATE DISTRICT**  
**DIVISION THREE**

JEFFREY R. HALL,  
  
Plaintiff and Appellant,

v.

TIME INC. et al.,  
  
Defendants and Respondents.

G038040

(Super. Ct. No. 05CC00131)

ORDER MODIFYING OPINION;  
NO CHANGE IN JUDGMENT

It is ordered that the opinion filed herein on January 7, 2008, be modified as follows:

On page 14, in the first full paragraph beginning “In *Cattie v. Wal-Mart Stores, Inc.*”:

1. In the second sentence, delete the words “tend to” between the words “We” and “agree” and delete “, but find *Anunziato* is distinguishable,” so the sentence reads:

We agree with the *Cattie* court’s criticism of portions of the *Anunziato* decision.

2. Delete the third and fourth sentences in their entirety.

These modifications do not effect a change in the judgment.

FYBEL, J.

WE CONCUR:

SILLS, P. J.

ARONSON, J.