

RECEIVED

JUN 26 2000

ROSEN BIEN & ASARO

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

F I L E D
Stephen M. Kelly, Clerk

JUN 23 2000

TERRILL L. FINTON et al.,

D031670

Plaintiffs and Respondents,

Court of Appeal Fourth District

v.

(Super. Ct. No. N72142)

RALPHS GROCERY COMPANY,

ORDER MODIFYING OPINION
AND DENYING REHEARING
[NO CHANGE IN JUDGMENT]

Defendant and Appellant.

THE COURT:

The opinion filed herein on May 30, 2000, be modified as follows:

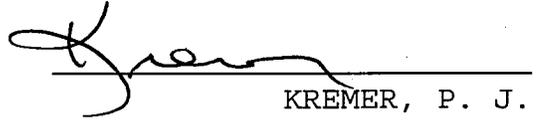
On page 6, first sentence of the second full paragraph, beginning "In December 1997" is changed to read:

In December 1994, Peles had a meeting with Smith and her union representative about her subsequent tardiness at the Bonita and National City stores.

On page 27, footnote 3 should be deleted, which will require renumbering of all subsequent footnotes.

These changes do not result in any change to the judgment.

As modified, the petition for rehearing is denied.


KREMER, P. J.

Copies to: All parties