

**CERTIFIED FOR PUBLICATION**

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

SCOTT JONES,

Plaintiff and Appellant,

v.

THE LODGE AT TORREY PINES  
PARTNERSHIP et al.,

Defendants and Respondents.

D046600

(Super. Ct. No. GIC811515)

[NO CHANGE IN JUDGMENT]

THE COURT:

The opinion filed February 5, 2007, is modified as follows:

At DISCUSSION II, third paragraph beginning "Additionally" (slip opn. p. 21, lines 5-6), delete "*Welcher v. Workers' Comp. Appeals Bd.* (2006) 142 Cal.App.4th 818, 842, fn. 9" and the semicolon.

There is no change in the judgment.

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McCONNELL, P. J.

Copies to: All parties