

**IN THE SUPREME COURT OF CALIFORNIA**

BRIAN J. DONOVAN,	)	
	)	
Plaintiff and Appellant,	)	S082570
	)	
v.	)	Ct.App. 4/3 G024997
	)	
RRL CORPORATION,	)	Orange County
	)	Super. Ct. No. AP-10999
Defendant and Respondent.	)	Mun. Ct. No. 97 HC 2268
_____	)	

MODIFICATION OF OPINION

THE COURT:

The opinion herein, appearing in the Official Reports at 26 Cal.4th 261, is modified as follows:

The sixth sentence of the first full paragraph on page 293 is modified by deleting the words “and did not seek in this action to recover damages for the incidental costs he incurred because of the erroneous advertisement.”

As a result of this modification, the sixth sentence of the paragraph reads: “Plaintiff refused this offer to be restored to the status quo.”

The modification does not affect the judgment.