

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

BEVERLY JEWETT,

Plaintiff and Appellant,

v.

CAPITAL ONE BANK et al.,

Defendants and Respondents.

B163311

(Los Angeles County
Super. Ct. No. BC253750)

THE COURT:

It is ordered that the opinion filed herein on November 25, 2003, be modified as follows:

1. On page 2, third sentence of the first paragraph, the word “orders” is changed to “order,” and the words “and awarding respondents attorney fees and costs of \$40,788.55” are deleted, so the sentence reads:

We hold that they are not and reverse the order of the trial court granting the special motion to strike.

2. On page 12, under the paragraph heading “Disposition,” the first sentence beginning “The orders of the trial court” is deleted and the following sentence is inserted in its place:

The order of the trial court granting the motion to strike is reversed.

There is no change in the judgment.

Respondents’ petition for rehearing is denied.