

Apr 06, 2017

JOSEPH A. LANE, Clerk

* sstahl Deputy Clerk

Filed 4/6/17

CERTIFIED FOR PARTIAL PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

MITCHELL J. STEIN,

Plaintiff and Appellant,

v.

AXIS INSURANCE COMPANY et
al.,

Defendants and Respondents.

B265069

(Los Angeles County

Super. Ct. No. BC549522)

ORDER MODIFYING OPINION,

CERTIFYING OPINION FOR

PARTIAL PUBLICATION

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on March 8, 2017,
be modified as follows:

1. The last sentence on page 11 is omitted.

2. On page 17, the second paragraph modified to read as
follows:

Second, even under federal law, an adjudication
that is “final until reversed” is not final for all
purposes. (See *Martin v. Martin* (1970) 2

* Sections 1 to 6, and 8 of the Background (not section 7),
sections I, II(A), IV, and V of the Discussion (not sections II(B) to
II(E) or III), and the Disposition are certified for publication.

Cal.3d 752, 761 [under federal law, a trial court judgment is final for purposes of res judicata but may still be appealed].) An appellate ruling is as much an “adjudication” as a trial court judgment, with greater finality.

3. On page 17, fourth paragraph, the sentence “It is incorrect” is deleted.

4. On page 17, the word “its” in the antepenultimate line is changed to “HCC’s.”

There is no change in the judgment.

The opinion in the above-entitled matter filed on March 8, 2017, was not certified for publication in the Official Reports. Pursuant to California Rules of Court, rule 8.1105(c), this opinion is ordered for partial publication in the Official Reports as noted in the page 1 footnote.

ROTHSCHILD, P. J.

CHANEY, J.

JOHNSON, J.