

CERTIFIED FOR PUBLICATION  
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION FOUR

SUSAN L. FERGUSON et al.,  
  
Plaintiffs and Appellants,  
  
v.  
  
AVELO MORTGAGE, LLC,  
  
Defendant and Respondent.

B223447  
  
(Los Angeles County  
Super. Ct. No. EC049118)  
  
ORDER MODIFYING OPINION  
[NO CHANGE IN JUDGMENT]

THE COURT\*

It is ordered that the published opinion filed June 1, 3011, be modified as follows:

1. On page 4, the entire section I paragraph under DISCUSSION is to be modified as follows:

“Respondent argues this appeal is premature because the trial court entered an order of dismissal but did not enter a formal judgment. Generally, an appeal may be taken from a judgment (Code Civ. Proc., § 904.1), which is a “final determination of the rights of the parties in an action or proceeding.” (Code Civ. Proc., § 577.) Code of Civil Procedure section 581d provides that “[a]ll dismissals ordered by the court shall be in the form of a written order signed by the court and filed in the action and those orders when so filed shall constitute judgments and be effective for all purposes, and the clerk shall

note those judgments in the register of actions in the case.” (See also *In re Sheila B.* (1993) 19 Cal.App.4th 187, 197 [an order of dismissal is a judgment for all intents and purposes and is generally appealable].) We treat the trial court’s order of dismissal as an appealable order and refer to it as such throughout our opinion.”

There is no change in the judgment.

---

\*EPSTEIN, P. J.

WILLHITE, J.

MANELLA, J.