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11 CONDOMINIUM OWNERS ASSOCIATION

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF SAN DIEGO, CENTRAL DIVISION

14 MONTGOMERY FIELD BUSINESS
15 CONDOMINIUMS ASSOCIATION, a
16 California Nonprofit Mutual Benefit
17 Corporation,

18 Plaintiff,

19 v.

20 BALBOA AVE COOPERATIVE, a
21 California corporation; SAN DIEGO
22 UNITED HOLDINGS GROUP, LLC, a
23 California limited liability company; NINUS
24 MALAN, an individual; RAZUKI
25 INVESTMENTS, LLC, a California limited
26 liability company; SALAM RAZUKI, an
27 individual; and DOES 1 through 25,
28 inclusive,

Defendants.

CASE NO. 37-2017-00019384-CU-CO-CTL ✓

Case Assignment: Hon. Ronald L. Styn

**[PROPOSED] ORDER RE
MODIFICATION OF PRELIMINARY
INJUNCTION**

Date: November 3, 2017

Time: 2:00 p.m.

Dept.: C-62

Judge: Hon. Ronald L. Styn

Trial Date: Not Scheduled.

Complaint Filed: May 26, 2017

[IMAGED FILE]

TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEY'S OF RECORD:

On October 10, 2017, October 12, 2017, October 27, 2017, and on November 3, 2017, Plaintiff, MONTGOMERY FIELD BUSINESS CONDOMINIUMS ASSOCIATION'S ("Association") Ex Parte Application for Clarification or Modification of Preliminary Injunction or, Alternatively, for a Temporary Restraining Order ("Application") came on for hearings before the above-entitled court with the Honorable Ronald L. Styn presiding in Department C-62. Mandy D. Hexom and Rian W. Jones of Epsten Grinnell & Howell, APC

FILED
Clerk of the Superior Court

NOV 08 2017

By: K. Mulligan, Deputy

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appeared on behalf of Plaintiff Association. Other appearances are as follows: Douglas Jaffe, attorney for Defendants RAZUKI INVESTMENTS, LLC and SALAM RAZUKI; Gina Austin and Tamara Leetham of Austin Legal Group, attorneys for Defendants BALBOA AVE COOPERATIVE, SAN DIEGO UNITED HOLDINGS GROUP, LLC and NINUS MALAN.

Having read the ex parte Application papers filed by Plaintiff, including any declarations, and supplemental pleadings and supplemental declarations, and having reviewed opposition papers filed by Defendants, having heard argument of counsel and testimony from witnesses at the multiple hearings for this matter, the court modifies the preliminary injunction as follows:

MODIFIED PRELIMINARY INJUNCTION

The court enjoins Defendants San Diego United Holdings Group, LLC, Ninus Malan and Balboa Ave Cooperative from having any armed guards or armed security that have any weapon on property located within the Montgomery Field Business Condominiums Association. This injunction shall be effective immediately upon execution of this order by the court and upon delivery of a signed declaration from Ninus Malan stating that no armed guards with any weapon shall be present on property located within the Association.

IT IS SO ORDERED:

DATED: NOV 08 2017



JUDGE OF THE SUPERIOR COURT

RONALD L. STYN

17 NOV 6 AM 10:41

SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF SAN DIEGO, CENTRAL DIVISION		FOR COURT USE ONLY FILED Clerk of the Superior Court NOV 08 2017 By: K. Mulligan, Deputy
TITLE OF CASE (ABBREVIATED): Montgomery Field Business Condominiums Assoc. v. Balboa Ave Cooperative, et al.		
ATTORNEY(S) NAME AND ADDRESS: Rian W. Jones, Esq. (SBN: 118830) Mandy D. Hexom, Esq. (SBN 216390) Epsten Grinnell & Howell, APC 10200 Willow Creek Rd., Suite 100 San Diego, California 92131	TELEPHONE (858) 527-0111 FACSIMILE (858) 527-1531	
ATTORNEYS FOR: Montgomery Field Business Condominium Assoc.	HEARING: DATE-TIME-DEPT November 3, 2017; 11am; Dept. 62	CASE NUMBER 37-2017-00019384-CU-CO-CTL

DECLARATION OF SERVICE

I, Mandy D. Hexom., declare: that I am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to the action; and I am employed in the County of San Diego, California, within which county the subject service occurred. My business address is 10200 Willow Creek Rd., Suite 100, San Diego, California 92131. On November 6, 2017, I served the following document(s):

PROPOSED ORDER RE MODIFICATION OF PRELIMINARY INJUNCTION

of which the original document(s), or a true and correct copy, is attached, by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee respectively as follows:

- (BY E-MAIL OR ELECTRONIC TRANSMISSION)** Based on CCP §1010.6 authorizing service by email or electronic transmission, I caused the documents to be sent to the person at the e-mail address listed in the above Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Gina M. Austin, Esq. / Tamara M. Leetham, Esq. Austin Legal Group, APC 3990 Old Town Avenue, Ste., A-112 San Diego, CA 92110 (619) 924-9600/ Fax: (619) 881-0045 gaustin@austinlegalgroup.com tamara@austinlegalgroup.com	Attorneys for Balboa Ave Cooperative; San Diego Holdings Group, LLC and Ninus Malan
Douglas Jaffe Law Offices of Douglas Jaffe 501 West Broadway, Suite 800 San Diego, California 92101 (619) 400-4945/ Fax: (619) 400-4947 douglasjaffe@aol.com	Attorneys for Razuki Investments, LLC, Salam Razuki

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 6, 2017, at San Diego, California.


Mandy D. Hexom

VIA FAX

VIA FAX