

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>): Gina M. Austin (SBN 246833); Tamara M. Leetham (SBN 234419) AUSTIN LEGAL GROUP, APC 3990 Old Town Ave, Suite A-112 San Diego, CA 92110 TELEPHONE NO.: (619) 924-9600 FAX NO.: (619) 881-0045 ATTORNEY FOR (<i>Name</i>): Ninus Malan; Continued on Attachment 1	FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of San Diego 11/13/2018 at 03:37:00 PM Clerk of the Superior Court By Jessica Pascual, Deputy Clerk
NAME OF COURT: Superior Court of California, County of San Diego STREET ADDRESS: 330 West Broadway MAILING ADDRESS: CITY AND ZIP CODE: San Diego 92101 BRANCH NAME: Central Division	CASE NUMBER: 37-2018-00034229-CU-BC-CTL HEARING DATE: December 21, 2018 DEPT.: 67 TIME: 9:00 AM BEFORE HON.: Eddie Sturgeon DATE ACTION FILED: July 10, 2018 TRIAL DATE: Not Set
CASE NAME: Razuki v. Malan, et al. <p style="text-align: center;">DECLARATION IN SUPPORT OF ATTORNEY'S MOTION TO BE RELIEVED AS COUNSEL—CIVIL</p>	

1. **Attorney and Represented Party.** Attorney (*name*): **Gina M. Austin** is presently counsel of record for (*name of party*): **Ninus Malan; Continued on Attachment 1** in the above-captioned action or proceeding.
2. **Reasons for Motion.** Attorney makes this motion to be relieved as counsel under Code of Civil Procedure section 284(2) instead of filing a consent under section 284(1) for the following reasons (*describe*):
Clients Ninus Malan; American Lending and Holdings, LLC; Balboa Ave Cooperative; California Cannabis Group; Devilish Delights, Inc.; Flip Management, LLC; and Monarch Management Consulting, Inc. have failed to compensate legal counsel in accordance with a written fee agreement. It would cause undue hardship on legal counsel and Ninus Malan; American Lending and Holdings, LLC; Balboa Ave Cooperative, California Cannabis Group; Devilish Delights, Inc.; Flip Management, LLC; and Monarch Management Consulting, Inc. to deny this Motion to Be Relieved As Counsel as attorney fees and costs will continue to accrue, to the detriment of all.

Continued on Attachment 2.

3. Service

a. Attorney has

- (1) personally served the client with copies of the motion papers filed with this declaration. A copy of the proof of service will be filed with the court at least 5 days before the hearing.
- (2) served the client by mail at the client's last known address with copies of the motion papers served with this declaration.

b. If the client has been served by mail at the client's last known address, attorney has

- (1) confirmed within the past 30 days that the address is current
 - (a) by mail, return receipt requested.
 - (b) by telephone.
 - (c) by conversation.
 - (d) by other means (*specify*):

(Continued on reverse)

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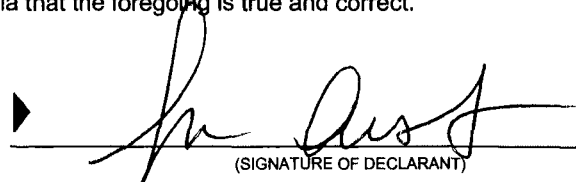
3. b. (2) been unable to confirm that the address is current or to locate a more current address for the client after making the following efforts:
- (a) mailing the motion papers to the client's last known address, return receipt requested.
- (b) calling the client's last known telephone number or numbers.
- (c) contacting persons familiar with the client (*specify*):
- (d) conducting a search (*describe*):
- (e) other (*specify*):
- c. Even if attorney has been unable to serve the client with the moving papers, the court should grant attorney's motion to be relieved as counsel of record (*explain*):
4. The next hearing scheduled in this action or proceeding
- a. is not yet set.
- b. is set as follows (*specify the date, time, and place*):
November 16, 2018 at 1:30 p.m., Dept. 67, Judge Sturgeon (Status Conference re: Prelim Injunction)
- c. concerns (*describe the subject matter of the hearing*):
- Continued on Attachment 4.
5. The following additional hearings and other proceedings (including discovery matters) are presently scheduled in this case (*for each, describe the date, time, place, and subject matter*):
Motion to Consolidate Avail Shipping, Dec. 14, 2018 at 9:00 a.m., Dept. 67, Judge Sturgeon
Motion to Consolidate San Diego Patients, Dec. 14, 2018 at 9:00 a.m., Dept. 67, Judge Sturgeon
Motion to Set Appeal Bond, Dec. 14, 2018 at 9:00 a.m., Dept. 67, Judge Sturgeon
- Continued on Attachment 5.
6. Trial in this action or proceeding
- a. is not yet set.
- b. is set as follows (*specify the date, time, and place*):
7. **Other.** Other matters that the court should consider in determining whether to grant this motion are the following (*explain*):

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

Date: November 13, 2018

Gina M. Austin

(TYPE OR PRINT NAME)


(SIGNATURE OF DECLARANT)

8. Number of pages attached: 1

SHORT TITLE: — Razuki v. Malan, et al.	CASE NUMBER: 37-2018-00034229-CU-BC-CTL
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ATTACHMENT (Number): 1*(This Attachment may be used with any Judicial Council form.)*

American Lending and Holdings, LLC

Balboa Ave Cooperative

California Cannabis Group

Devilish Delights, Inc.

Flip Management, LLC.

Monarch Management Consulting, Inc.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 1*(Add pages as required)*