

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN DIEGO  
CENTRAL**

**MINUTE ORDER**

DATE: 02/27/2026

TIME: 9:00 AM

DEPT: C-75

JUDICIAL OFFICER: EUKETA OLIVER  
CLERK: Natalie Calantoc  
REPORTER/ERM: Not Reported  
BAILIFF/COURT ATTENDANT: J. Lemke

CASE NO: **37-2021-00050889-CU-AT-CTL** CASE INIT.DATE: 12/03/2021  
CASE TITLE: **Sherlock vs Austin [EFILE]**  
CASE CATEGORY: Civil CASE TYPE: (U)Antitrust/Trade Regulation

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**HEARING TYPE:** Motion Hearing  
**MOVING PARTY:**

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**APPEARANCES**

Matthew Clarke, attorney for Amy Sherlock, Plaintiff and Appellant, present via remote video appearance.  
Steve Blake, attorney, present via remote video appearance.

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The Court confirms the tentative ruling as follows:

Plaintiffs Amy Sherlock et al. (collectively Plaintiffs) Motion for Leave to File Second Amended Complaint (SAC) is granted.

Plaintiffs bring this motion pursuant to Code of Civil Procedure sections 473(a)(1) and 576, and California Rules of Court, rule 3.1324. The proposed amendment would remove the antitrust and federal-rights claims, limiting the action to conversion, civil conspiracy, unfair competition, and declaratory relief. In addition, it would (1) incorporate new forensic evidence i.e., a December 28, 2023 forensic reconstruction report concluding that Michael Sherlock's death was inconsistent with suicide, (2) include Eulenthias Alexander's 2024 admissions that Amy Sherlock retains an ownership interest in the Ramona Permit and is "owed money", (3) add forged-document allegations related to a conflict-of-interest waiver executed without Mrs. Sherlock's consent, (4) remove prior "Strawman/Proxy Practice" allegations that were held not criminally actionable, and (5) include the August 19, 2022, Minute Order confirming that conversion, conspiracy, declaratory-relief, and UCL claims were properly pleaded. (Clarke Dec., Exhs. 1-2.)

California courts apply a liberal policy favoring amendments. (*Kittredge Sports Co. v. Super. Ct.* (1989) 213 Cal.App.3d 1045, 1047.) Under Code of Civil Procedure sections 473 subd. (a)(1) and 576, the Court may permit

amendment “in furtherance of justice.” Unless the opposing party demonstrates actual prejudice, leave should be freely given. (*Hirsa v. Super. Ct.* (1981) 118 Cal.App.3d 486, 489.)

Here, Plaintiffs contend that the proposed SAC arises from substantial evidence discovered after adjudication of the prior pleadings and during post-judgment investigation. In response, Defendant Stephen Lake argues that Plaintiffs unreasonably delayed the filing of their request to amend since much of the evidentiary bases for the proposed amendments were known to them in 2023 and 2024. However, Plaintiffs point out that the case was subject to numerous stays. Further, Defendant does not identify any prejudice in granting leave to amend. Thus, the Court grants the motion for leave to file an amended complaint.

Plaintiffs were not given leave to file a supplemental reply. (ROA 500) Thus, the Court did not consider the reply filed on February 20, 2026.

Plaintiffs are directed to file and serve their SAC by March 13, 2026.

The minute order is the order of the Court.

*Euketa Oliver*

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Judge Euketa Oliver