Superior Court of California, County of San Diego 7/16/2025 7:32:55 PM Clerk of the Superior Court Steven W. Blake, Esq., SBN 235502 Andrew E. Hall, Esq., SBN 257547 1 ,Deputy Clerk By T. Automation **BLAKE LAW FIRM** 533 2nd Street, Suite 250 Encinitas, CA 92024 3 Phone: (858) 232-1290 Email: steve@blakelawca.com 4 Email: andrew@blakelawca.com 5 Attorney for Defendant STEPHEN LAKE 6 7 SUPERIOR COURT OF CALIFORNIA 8 COUNTY OF SAN DIEGO, HALL OF JUSTICE 9 10 AMY SHERLOCK, an individual and on CASE NO.: 37-2021-0050889-CU-AT-CTL behalf of her minor children, T.S. and S.S., 11 ANDREW FLORES, an individual; DECLARATION OF ANDREW HALL IN 12 SUPPORT OF OPPOSITION TO Plaintiffs, MOTION FOR LEAVE TO FILE 13 SECOND AMENDED COMPLAINT VS. 14 GINA M. AUSTIN, an individual; AUSTIN Hearing Date: July 18, 2023 15 LEGALGROUP, a professional corporation, Hearing Time: 9:00 a.m. LARRY GERACI, an individual, REBECCA 16 BERRY, an individual; JESSICA Case Filed: December 3, 2021 MCELFRESH, an individual; SALAM 17 Department: C-73 RAZUKI, an individual; NINUS MALAN, an Judge: Hon. James Mangione 18 individual; FINCH, THORTON, AND Trial Date: N/A BARID, a limited liability partnership; 19 ABHAY SCHWEITZER, an individual and dba TECHNE; JAMES (AKA JIM) 20 BARTELL, an individual; NATALIE TRANG-MY NGUYEN, an individual, 21 AARON MAGAGNA, an individual; 22 BRADFORD HARCOURT, an individual; SHAWN MILLER, an individual; LOGAN 23 STELLMACHER, an individual; EULENTHIAS DUANE ALEXANDER, an 24 individual; STEPHEN LAKE, an individual, ALLIED SPECTRUM, INC., a California 25 corporation, PRODIGIOUS COLLECTIVES, 26 LLC, a limited liability company, and DOES 1 through 50, inclusive, 27 Defendants. 28 DECLARATION OF ANDREW HALL

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I, Andrew Hall, hereby declare as follows:

1. I am an attorney duly licensed in California and am an attorney at the Blake Law Firm ("BLF"), attorneys of record for Defendant STEPHEN LAKE ("Defendant" or "LAKE"). I am over the age of 18 and the following facts are of my own knowledge, except as to those matters herein stated to be upon information and belief, and as to those facts I am informed and believe them to be true. If called as a witness, I could and would testify competently to the statements in this declaration.

DECLARATION OF ANDREW HALL

- 2. I have personally worked on books, records and files, and as to the following facts, I know them to be true of my own knowledge, or I have gained knowledge of them from the business records of BLF, all of which were made at or about the time of the events recorded, and which are maintained in the ordinary course of business at or near the time of the acts, conditions or events to which they relate. Any such document was prepared in the ordinary course of business of BLF by a person who had personal knowledge of the event being recorded and had or has a business duty to record accurately those events. The business records are available for inspection and copies can be submitted to the Court if required. If called as a witness, I could and would testify competently thereto.
- 3. On February 7, 2025, I emailed Andrew Flores, Esq. ("FLORES"), counsel for Plaintiff AMY SHERLOCK ("SHERLOCK" or "Plaintiff") to address two issues. First, FLORES has habitually failed to serve pleadings in this case, which has resulted in Defendant failing to timely receive motions and pleadings. I requested that FLORES include myself along with three others at my firm on service attempts to ensure proper service. Second, on February 7, 2025, I noted to FLORES that a Motion for Leave to file an Amended Complaint was on calendar for July and I requested the proposed amended pleadings for review to evaluate the need of a hearing. Attached hereto and incorporated by reference as Exhibit "1" is a true and correct copy of my February 7, 2025 email.
- 4. Shortly after sending my email, I received a response from FLORES indicating that, in referring to the proposed amended pleading, "once I have completed it, I will provide you a copy in advance of filing for your review." Attached hereto and incorporated by reference as Exhibit "2" is a true and correct copy of FLORES' response.

5. Despite requesting a copy on February 7, I was never provided with a copy of the proposed pleading in advance of filing of the motion for leave to amend. The first time I was provided with a copy of the proposed pleading was in conjunction with the motion for leave to amend.

6. I was traveling with family in Europe from June 26 to July 13 with limited access to my emails. Despite the hearing date having been reserved in February 2025 – at the latest – the motion was not filed until – at the earliest – June 26, which was just 15 court days prior to the July 18 hearing. I did not have an opportunity to review the motion until I returned to the office, which was after the deadline to file any opposition.

California that the foregoing matters are true and correct and based in my personal knowledge and, if called upon to testify, I would and could testify truthfully to these matters. Executed on July 16, 2025, in Carlshad, California

ANDREW HALL

EXHIBIT 1



Sherlock v. Austin, et al

1 message

Andrew Hall <andrew@blakelawca.com>

Fri, Feb 7, 2025 at 9:31 AM

To: Andrew Flores <afloreslaw@gmail.com>

Cc: Steve Blake <steve@blakelawca.com>, Christa Schnick <christa@blakelawca.com>, Blake Law Firm <eservice@blakelawca.com>

Mr. Flores,

There has been an issue with you habitually failing to serve us with pleadings, the latest being yesterday's filing which I only discovered by inspecting the docket. Another example was the Application for Publication filed on October 11 that, for some reason, was not served on us until December. There have been other instances over the years.

I would request that we be served with any filings, including the filing from yesterday, and going forward please include myself and the 3 emails cc'd on this email on any service of process. Should you continue to fail to serve us. I will have no choice but to bring this to the attention of the court as it has the potential to substantially prejudice my client.

On a related note, I see that a motion to amend the complaint is set for July. We have had no communications regarding a potential amendment and I have not seen any proposed amended pleading; nevertheless, I am open to reviewing any proposed pleading to see if we can avoid the necessity of a hearing.

Andrew E. Hall, Esq. **Senior Counsel** Blake Law Firm 533 2nd Street, Suite 250 Encinitas, CA 92024 Direct: (619) 675-9599

Office: (858) 232-1290

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EXHIBIT 2



Re: Sherlock v. Austin, et al

1 message

Andrew Flores <afloreslaw@gmail.com>

Fri, Feb 7, 2025 at 9:53 AM

To: Andrew Hall <andrew@blakelawca.com>

Cc: Steve Blake <steve@blakelawca.com>, Christa Schnick <christa@blakelawca.com>, Blake Law Firm <eservice@blakelawca.com>

Hello Mr. Hall.

My sincere apologies, I have been filing using onelegal and there is a long list of individuals that are preset for service. I was under the impression that you were also on that list. I do show that service was sent to Mr. Blake and a Nancy Fabian from your office. I will update it now and make sure you get everything that is filed from here on out. As far as the other filings I have attached them to this email. I will note that the request for involuntary dismissal is still pending in the que despite it being filed on January 24. I did provide the court a courtesy copy. Again my sincere apologies I will make sure this does not happen moving forward.

As for the amended complaint request, I have not yet filed anything in that regard. I have simply reserved the date. Once I have completed it I will provide you a copy in advance of filing for your review.

Sincerely,

On Fri, Feb 7, 2025 at 9:31 AM Andrew Hall <andrew@blakelawca.com> wrote: Mr. Flores,

There has been an issue with you habitually failing to serve us with pleadings, the latest being yesterday's filing which I only discovered by inspecting the docket. Another example was the Application for Publication filed on October 11 that, for some reason, was not served on us until December. There have been other instances over the years.

I would request that we be served with any filings, including the filing from yesterday, and going forward please include myself and the 3 emails cc'd on this email on any service of process. Should you continue to fail to serve us, I will have no choice but to bring this to the attention of the court as it has the potential to substantially prejudice my client.

On a related note, I see that a motion to amend the complaint is set for July. We have had no communications regarding a potential amendment and I have not seen any proposed amended pleading; nevertheless, I am open to reviewing any proposed pleading to see if we can avoid the necessity of a hearing.

Andrew E. Hall, Esq. Senior Counsel Blake Law Firm 533 2nd Street, Suite 250 Encinitas, CA 92024 Direct: (610) 675 9599

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Attorney at Law 427 C Street, Suite 220 San Diego CA 92101 P. (619) 356-1556 F. (619) 274-8053 AndrewFloresLaw.com afloreslaw@gmail.com



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4 attachments





Sherlock OSC Response (1).pdf 596K

Sherlock Flores Dec (1).pdf 2259K