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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
03/21/2023 at 03:24:00 PM
Clerk of the Superior Court
By Bernabe Montijo, Deputy Clerk

8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SAN DIEGO**
10 **HALL OF JUSTICE BRANCH**

11 -ooOoo-

12 SALAM RAZUKI, an Individual,)
13 Plaintiff,)
14 vs.)
15 NINUS MALAN, an individual; CHRIS HAKIM,)
an Individual; MONARCH MANAGEMENT)
16 CONSULTING, INC., a California Corporation;)
SAN DIEGO UNITED HOLDINGS GROUP,)
17 LLC., a California Limited Liability Company;)
FLIP MANAGEMENT, LLC., a California Limited)
18 Liability Company; MIRA ESTE PROPERTIES,)
LLC., a California Limited Liability Company;)
19 ROSELLE PROPERTIES, LLC, a California)
Limited Liability Company; BALBOA AVE.)
20 COOPERATIVE, a California Non-Profit Mutual)
Benefit Corporation; CALIFORNIA CANNABIS)
21 GROUP, a California Non-Profit Mutual Benefit)
Corporation; DEVILISH DELIGHTS, INC., a)
22 California Non-Profit Mutual Benefit Corporation;)
and DOES 1 through 100, Inclusive,)
23 Defendants.)
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25 NINUS MALAN; an Individual ;)
CALIFORNIA CANNABIS GROUP, a)
California Nonprofit Mutual Benefit Corporation;)
26 DEVILISH DELIGHTS, INC., a California)
Nonprofit Mutual Benefit Corporation; BALBOA)
27 AVE. COOPERATIVE, a California Nonprofit)
Mutual Benefit Corporation; AMERICAN)
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Case No. 37-2018-00034229-CU-BC-CTL
[IMAGED CASE]
Consolidated With
Case No. 37-2018-000039388-CU-BC-CTL

NOTICE OF MOTION, AND
MOTION, BY NINUS MALAN
FOR SANCTIONS PURSUANT TO
CCP §128.5 AGAINST PLAINTIFF
AND CROSS-DEFENDANT
SALAM RAZUKI

Date: 4-14-23
Time: 9:00 a.m.
I/C Judge: Hon. Eddie C. Sturgeon
Dept: C-67
Filed: 7-10-18
Trial Date: 4-14-23

1 LENDING AND HOLDINGS, LLC, a Limited
Liability Company; MONARCH MANAGEMENT
2 CONSULTING, INC., a California Corporation;
FLIP MANAGEMENT, LLC, a Limited Liability
3 Company; SAN DIEGO UNITED HOLDINGS,
GROUP, LLC, a Limited Liability Company,

4 Cross-Complainants

5 vs.

6 SALAM RAZUKI, an Individual; RAZUKI
INVESTMENTS, LLC, a Limited Liability
7 Company; MARVIN RAZUKI, an Individual;
SARAH RAZUKI, an Individual; MATTHEW
8 RAZUKI, an Individual; SH WESTPOINT
GROUP, LLC, A Limited Liability Company;
9 EL CAJON INVESTMENTS GROUP, LLC, a
California Limited Liability Company; SAN
10 DIEGO PRIVATE INVESTMENTS, LLC, a
California Limited Liability Company;
11 STONECREST PLAZA, LLC, a California
Limited Liability Company; SUNRISE
12 PROPERTY INVESTMENTS, LLC, a California
Limited Liability Company; LEMON GROVE
13 GROVE PLAZA, LP, a California Limited
Partnership; SOCAL BUILDING VENTURES,
14 LLC, a Delaware Limited Liability Company; RM
PROPERTY HOLDINGS, LLC, a Limited Liability
15 Company; MELROSE PLACE, INC. a Delaware
Corporation; and ALL PERSONS UNKNOWN
16 CLAIMING ANY LEGAL OR EQUITABLE
RIGHT, TITLE, ESTATE, LIEN, OR INTEREST
17 IN THE PROPERTY; SUPER 5 CONSULTING
GROUP, LLC (Formerly ROE 1); ALTERNATIVE
18 HEALTH COOPERATIVE, INC. (Formerly ROE 2)
GOLDN BLOOM VENTURES, INC. (Formerly
19 ROE 3); and ROES 4 through 50, Inclusive,

20 Cross-Defendants.

21 CHRIS HAKIM, an Individual; MIRA ESTE
PROPERTIES, LLC., a California Limited Liability
22 Company; and ROSELLE PROPERTIES, LLC.,
a California Limited Liability Company,

23 Cross-Complainants,

24 vs.

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26 SALAM RAZUKI, an Individual; SOCAL
BUILDING VENTURES, LLC., a Delaware
27 Limited Liability Company; SAN DIEGO
BUILDING VENTURES, LLC., a Delaware
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1 Limited Liability Company; and ROES 51-100,

2 Cross-Defendants.

3 SOCAL BUILDING VENTURES, LLC, a
4 California Limited Liability Company; SAN
5 BUILDING VENTURES, LLC., a California
6 Limited Liability Company,

7 Plaintiffs-In-Intervention,

8 vs.

9 SAN DIEGO HOLDING GROUP, LLC., a
10 California Limited Liability Company; BALBOA
11 AVE. COOPERATIVE, a California Cooperative
12 Company; MIRE ESTE PROPERTIES, LLC., a
13 California Limited Liability Company; ROSELLE
14 PROPERTIES, LLC, a California Limited Liability
15 Company; CHRIS HAKIM, an Individual NINUS
16 MALAN; an Individual; MONARCH
17 MANAGEMENT CONSULTING, INC., a
18 California Corporation; CALIFORNIA CANNABIS
19 GROUP, a California Nonprofit Mutual Benefit
20 Corporation; DEVILISH DELIGHTS, INC., a
21 California Nonprofit Mutual Benefit Corporation;
22 FAR WEST MANAGEMENT, LLC, a California
23 Limited Liability Company; HEIDI RISING, an
24 Individual; MATTHEW FREEMAN, an
25 Individual; ALEXIS BRIDGEWATER, an
26 Individual; and ADAM KNOPF, an Individual,

27 Defendants-In-Intervention.

28 RM PROPERTY HOLDINGS, LLC., a
29 California Limited Liability Company,

30 Cross-Complainant,

31 vs.

32 NINUS MALAN, an Individual; and POES 1-
33 20, Inclusive,

34 Cross-Defendants.

35 SH WESTPOINT INVESTMENTS GROUP,
36 LLC., a California Limited Liability Company;
37 and SALAM RAZUKI, an Individual,

38 Plaintiffs,

39 vs.

1 NINUS MALAN, an Individual; AMERICAN)
2 LENDING & HOLDING, LLC., a California)
3 Limited Liability Company; and DOES 1-100,)
4 Inclusive,)
5 Defendants.)

5 **TO: ALL PARTIES CONCERNED IN THE ABOVE-CAPTIONED MATTER, AND TO THEIR**
6 **RESPECTIVE ATTORNEYS-OF-RECORD:**

7 **PLEASE TAKE NOTICE** that on April 14, 2023, at the hour of 9:00 a.m., or as soon thereafter
8 as the matter may be heard, in Department C-67 of the above-captioned Court located at 330 West
9 Broadway, San Diego, California, Defendant & Cross-Complainants NINUS MALAN will, and does
10 hereby, move said Court for an Order imposing terminating, or in the alternative monetary (including
11 punitive damages), sanctions against Plaintiff and Cross-Defendant SALAM RAZUKI pursuant to CCP
12 §128.5 for attempting to have MALAN executed in order to delay, and provide RAZUKI with an
13 advantage in, the litigation of the above-captioned matter.

14 All interested parties should check the Court’s website (www.sdcourt.ca.gov) for any tentative
15 ruling 24 hours prior to the time set for hearing, and for any alternatives available, and requirements, for
16 appearing remotely for the subject hearing.

17 Said motion is made pursuant to the provisions of California Code of Civil Procedure Section
18 128.5 on the basis that RAZUKI attempted to have MALAN kidnaped and executed in order to delay, and
19 provide RAZUKI with an advantage in, the litigation of the above-captioned matter, and has pled guilty
20 before the United States District Court for the Southern District of California to such conduct (Case No.
21 18CR5260-CAB).

22 Said motion will be based upon this Notice, the Memorandum of Points and Authorities,
23 Declaration of David K. Demergian, Declaration of Ninus Malan and Request for Judicial Notice served
24 and filed herewith, together with the papers, records and pleadings on file herein and such other and further
25 oral and documentary

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2 evidence as may be properly adduced at the time of the aforesaid hearing.

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7 DATED: March 20, 2023

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DEMERGIAN LAW



David K. Demergian
Attorney for Defendant, Cross-
Complainant and Cross-Defendant
NINUS MALAN