

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

MINUTE ORDER

DATE: 12/14/2018

TIME: 09:00:00 AM

DEPT: C-67

JUDICIAL OFFICER PRESIDING: Eddie C Sturgeon

CLERK: Calvin Beutler, Patricia Ashworth

REPORTER/ERM: Christina Lothar CSR# 8624

BAILIFF/COURT ATTENDANT: M. Micone

CASE NO: **37-2018-00022710-CU-FR-CTL** CASE INIT.DATE: 05/08/2018

CASE TITLE: **Avail Shipping Inc vs Razuki Investments LLC [IMAGED]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Fraud

EVENT TYPE: Motion Hearing (Civil)

MOVING PARTY: San Diego United Holdings Group LLC

CAUSAL DOCUMENT/DATE FILED: Motion to Consolidate Cases, 10/15/2018

APPEARANCES

Kyle E Yaeger, counsel, present for Plaintiff(s).

Douglas Jaffe, counsel, present for Defendant,Cross - Defendant(s).

Tamara M Leetham, counsel, present for Defendant,Cross - Complainant(s).

The Court hears oral argument and modifies the tentative ruling as follows:

FINAL RULING

Defendant/cross-defendant San Diego Unified Holdings Group, LLC's ("SDUHG") motion to consolidate is denied. The initial complaint was between plaintiff Avail Shipping, Inc., a tenant, and defendant Razuki Investments, LLC. Although the cross-complaint and original complaint raised issues of the ownership of the Balboa property, based upon the settlement between Avail and American Lending and Holdings, LLC, SDUHG, Nimas Milan, that issue has been resolved. Allowing consolidation would unnecessarily confuse the issues. Nothing in this ruling will prejudice any parties right to bring a motion to sever the cross-complaint.

Eddie C. Sturgeon

Judge Eddie C Sturgeon