

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT, DIVISION ONE

D075028

37-2018-000034229-CU-BC-CTL

SALAM RAZUKI
Plaintiff/Appellant,

vs.

NINUS MALAN, *et al.*
Defendants/Respondents

Appeal from the Superior Court of San Diego County
The Hon. Eddie Sturgeon

**APPLICATION FOR EXTENSION OF TIME TO FILE
COMBINED RESPONDENT'S BRIEF**

[Rules of Court 8.212, 8.63]

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SALAM RAZUKI

DECLARATION OF JON R. WILLIAMS

I, JON R. WILLIAMS, declare:

1. I am an attorney at law duly admitted to practice before this Court, and am a partner in the law firm of Williams Iagmin LLP. I am a Certified Appellate Specialist (California State Bar Board of Legal Specialization), and am appellate counsel of record for Plaintiff/Respondent, SALAM RAZUKI (“Razuki”), primarily responsible for representing Razuki in this appeal before this Court.

2. *Current Due Date and One Prior Extension:* Razuki’s Respondent’s Brief is currently due to be filed with this Court on September 9, 2019. Razuki previously sought a single 30-day extension of time for the filing of that brief. This Court has not issued any notice pursuant to Rule 8.220. For the reasons stated herein, and pursuant to Rules of Court 8.212, and 8.63, Razuki respectfully requests that the time for filing and serving his Combined Respondent’s Brief be extended to and include October 9, 2019, an additional extension of 30 days.

3. *Recent Retention, Diligence, and Good Cause:* I was retained to represent Razuki in this appeal and associated into this matter just last month, after Appellants filed their two separate Opening Briefs. I was not counsel for Razuki in the trial court. Since my retention, I have worked diligently with Razuki and his trial counsel to obtain all relevant portions of the lower court record, to review that record and the transcripts of the underlying proceedings, to conduct appropriate legal research, and to review and analyze those two Appellants' Opening Briefs, separately filed by Defendants/Appellants, NINUS MALAN, *et al.* (collectively "Malan") and Defendants/Appellants, CHRIS HAKIM, *et al.* (collectively "Hakim"). Those two briefs (included Malan's Opening Brief, which was overlength) constitute approximately 127 pages of briefing I have been digesting and analyzing while preparing a single Combined Respondent's Brief on Razuki's behalf in response to both of those appeals. The Appellants' Appendix filed by Malan and Hakim is similarly extensive, consisting of 19 volumes and 6,477 pages. Although I have made good progress in reviewing and analyzing that briefing and record, and in drafting my client's Consolidated Respondent's Brief, the issues raised in that briefing are numerous and complex. Thus, I simply

need more time to finish my review of those materials and to responsibly prepare a single, Combined Respondent's Brief which not only advances my client's interests, but also assist the Court in deciding the issues in this appeal. Moreover, while I have been preparing that briefing, I have had several other time limiting matters set on my calendar beyond my control, including four oral arguments scheduled within 36 days, and two requests for supplemental briefing requested by this Court in another appeal on a relatively short fuse. As no other attorney in my office is qualified to assist me in the handling of those additional matters, I alone have devoted the time required to ensure that those tasks are completed responsibly, which has impacted my ability to continue my review and to draft appropriate briefing in this appeal.


4. *No Stipulation Possible:* At the time I previously sought my first and only prior extension in this case, I contacted appellate counsel for both Milan and Hakim, asking if they would be willing to stipulate to the requested extension in light of my very recent retention. While counsel for Hakim responded that he would be willing to stipulate to a single 30-day extension, counsel for Milan responded that they would not be willing to stipulate to any extensions whatsoever, reflective of what I

perceive to be a highly acrimonious relationship trial counsel for all parties have developed over the course of the underlying trial court proceedings. Accordingly, recognizing that it would be futile to attempt to achieve the requested extension via stipulation under those circumstances, I file this Application under Rule of Court 8.212, subd. (b)(3)(A).

5. *Good Faith and Lack of Prejudice:* This Application is made in good faith for the reasons stated here and not for any other purpose. Furthermore, I know of no prejudice that will result to any party from grant of this Application. However, significant prejudice may result to Razuki if this Application is denied because I will not have adequate time to complete a fully researched and accurately referenced Combined Respondent's Brief that not only advances my clients' interests, but also assists this Court in deciding this appeal. This is especially so where Milan and Hakim both procured 60 days of extensions from this Court to file their respective Opening Briefs in this appeal.

6. *Client Consent:* I certify under Rule of Court 8.60, subd. (f), that my clients have been informed of this request and the circumstances indicated above which make this request necessary.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on September 9, 2019, at San Diego, California.



Jon R. Williams

ORDER

Based upon the Application of Plaintiff/Respondent, SALAM RAZUKI (“Razuki”), and upon good cause appearing,

IT IS ORDERED THAT:

Razuki shall have an additional 30-day extension of time, up to and including October 9, 2019, within which to file his Combined Respondent’s Brief with this Court.

Dated: _____

MCCONNELL, P.J.

Presiding Justice

SALAM RAZUKI v. NINUS MALAN, et al.
Court of Appeal of the State of California
Fourth Appellate District, Division One
Court of Appeal Case No.: D075028
San Diego County Superior Court Case No.: 37-2018-000034229-CU-BC-CTL

PROOF OF SERVICE

**When All Case Participants are Registered for the Electronic Filing System
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I am employed in the county of San Diego, State of California. I am over the age of 18 and not a party to the within action; my business address is 666 State Street, San Diego, California 92101.

I, the undersigned, hereby certify that I electronically filed the foregoing with the Clerk of the Court for the Court of Appeals – Fourth Appellate District, Division One by using the appellate EFS system on **September 9, 2019**.

**1) APPLICATION FOR EXTENSION OF TIME TO FILE
COMBINED RESPONDENT'S BRIEF**

I certify that all participants in the case are registered EFS users and that service will be accomplished by the appellate EFS system.

Dated: **September 9, 2019**

Signature: 
Chenin M. Andreoli

STATE OF CALIFORNIA
California Court of Appeal, Fourth
Appellate District Division 1

PROOF OF SERVICE

STATE OF CALIFORNIA
California Court of Appeal, Fourth
Appellate District Division 1

Case Name: **Razuki v. Malan et al.**
Case Number: **D075028**
Lower Court Case Number: **37-2018-000034229-CU-BC-
CTL**

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My email address used to e-serve: **williams@williamsiagmin.com**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
REQUEST - REQUESTED - EXTENSION OF TIME (FEE PREVIOUSLY PAID)	D075028_App for Extension2_Razuki

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This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

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

9/9/2019

Date

/s/Chenin Andreoli

Signature

Williams, Jon (162818)

Last Name, First Name (PNum)

Williams Iagmin LLP

Law Firm