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Attorney for Plaintiff, **AMY SHERLOCK**

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO, HALL OF JUSTICE

AMY SHERLOCK an individual;)	Case No.
)	
Plaintiff,)	[Proposed] COMPLAINT FOR:
)	
vs.)	(1) QUIET TITLE – CAL. CIV.
)	PROC. § 760.020
RAZUKI INVESTMENTS, LLC, a limited)	(2) FRAUD
liability corporation; BRADFORD)	(3) CONSTRUCTIVE FRAUD
HARCOURT, an individual, NINUS MALAN,)	(4) UNJUST ENRICHMENT
an individual, SALAM RAZUKI, an individual,)	
)	
Defendants.)	

Plaintiff in Intervention AMY SHERLOCK (herein referred to as “Ms. SHERLOCK” or “PLAINTIFF”), by and through counsel, hereby files his Complaint against RAZUKI INVESTMETNS, BRANDFORD HARCOURT, and NINUS MALAN and alleges as follows:

INTRODUCTION

1. Amy Sherlock (“Sherlock”) seeks to intervene in the above-captioned matter because she has an interest in the Conditional Use Permit that is being sold (the “Balboa CUP”). Sherlock’s interest in the Balboa CUP is currently subject to litigation in the United States District Court for the Southern District of California as Case No. 3:20-cv-00656-BAS-DEB (the “Sherlock Litigation”).

1 2. Sherlock seeks to intervene in this case now because Mr. Harcourt can no longer adequately
2 represent her interest in the Balboa CUP because the future sale will impair and impede
3 Sherlock's interest as the proceeds are easily transferrable prior to the determination of her
4 interest.

5
6 **PARTIES**

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8 3. Sherlock, an individual, and at all times herein was residing and working in the City of
9 Carlsbad, County of San Diego, California.

10 4. Razuki Investments, LLC, a limited liability company, at all times here was incorporated
11 in the State of California doing business in San Diego County.

12 5. Bradford Harcourt, an individual, and at all time herein was residing and working in the
13 County of San Diego.

14 6. Ninus Milan, an individual, and at all times herein was residing and working in the County
15 of San Diego.

16 7. Salam Razuki, an individual, and at all times herein was residing and working in the County
17 of San Diego.

18
19 **Factual Background**

20
21 8. Michael "Biker" Sherlock was a husband, father, professional athlete, and an entrepreneur
22 with interests in the cannabis sector.

23 9. Mr. Sherlock partnered with Bradford Harcourt to acquire interests in two cannabis
24 conditional use permits in 2015, the Balboa CUP and the Ramona CUP.

25 10. Mr. Sherlock and Harcourt were faced with various litigation and business-related
26 expenses that required Mr. Sherlock to deplete his financial resources and even use the
27 college funds for his two sons, S.S. and T.S., to defend the significant investments he made
28 in securing the Balboa and Ramona CUPs.

- 1 11. Mr. Sherlock passed away on December 3, 2015 and his interest in the Balboa and Ramona
2 CUPs was purportedly transferred to Harcourt.
- 3 12. The purported transfer of Mr. Sherlock's interest in the Balboa and Ramona CUPs was
4 made via documents submitted to the Secretary of State weeks after his death.
- 5 13. Mr. Sherlock's signatures on the documents were forged, as evidenced by the report
6 prepared by a handwriting expert, Mr. Manny Gonzalez. A copy of the report is attached
7 hereto as **Exhibit A**– and incorporated herein by this reference.
- 8 14. Sherlock did not receive any compensation for the purported transfer of the Ramona or
9 Balboa CUPs to Harcourt.
- 10 15. Upon information and belief, Harcourt, Razuki, and Malan dispute the ownership interests
11 in the Balboa CUP.
- 12 16. Upon information and belief, Razuki, Razuki Investments, and Malan knew or should have
13 known of Sherlock's interest in the Balboa CUP.
- 14 17. Furthermore, on information and belief, Defendants have engaged in fraud by illegally
15 acquiring the CUP as defendant Razuki had been previously sanctioned for illegal
16 commercial marijuana activity.
- 17 18. This illegal activity, mainly operating a marijuana dispensary without a license, barred him
18 from owning or operating a marijuana dispensary. (*See City of San Diego v. Stonecrest*
19 *Plaza, LLC* (Salam Razuki) Case No. 37-2014-00009664-CU-MC-CTL)
- 20 19. On or about January 6, 2015, via a stipulation for entry of final judgement, Razuki admitted
21 that he was illegally maintaining a dispensary at 4284 Market Street, San Diego CA 92102.
- 22 20. Razuki having been previously sanctioned for illegal marijuana activity was barred from
23 owning a dispensary or having an interest in a cannabis CUP.

24
25 **MANDATORY INTERVENTION – CODE CIV. PROC. § 387(d)(1)**

- 26 21. Sherlock incorporates the foregoing paragraphs as if fully set forth herein.
- 27 22. As shown by the facts alleged above, Sherlock has a right to intervene in this action because
28 she has an interest in the transaction that is the subject of the pending case, Sherlock's

1 ability to protect her interest may be impaired or impeded by the disposition of this case –
2 and the sale of the CUPs – in her absence, Sherlock’s interest are not adequately
3 represented by the existing parties in this action, and Sherlock has made a timely
4 application to intervene.

5 **PERMISSIVE INTERVENTION – CODE CIV. PROC. § 387(d)(2)**

6 23. Sherlock incorporates the foregoing paragraphs as if fully set forth herein.

7 24. As shown by the facts alleged above, Sherlock should be permitted to intervene because
8 Sherlock has a direct and significant interest in the Balboa CUP, Sherlock’s intervention
9 will not enlarge the issues in the litigation, and the reasons for the intervention outweigh
10 any opposition by the parties presently in the action.

11
12 **FIRST CAUSE OF ACTION**

13 **QUIET TITLE – CAL. CIV. PROC. § 760.020**

14 25. Sherlock incorporates the foregoing paragraphs as if fully set forth herein.

15 26. Harcourt obtained his interest in the Balboa CUP by forging Mr. Sherlock’s signature.

16 27. As a result, the transfer of Mr. Sherlock’s interest in the Balboa CUP is void.

17 28. Sherlock seeks a declaration of the parties’ rights with respect to the Balboa CUP and the
18 imposition of a constructive trust or equitable lien upon the sale proceeds until such time
19 as the parties’ respective interest in the Balboa CUP is determined by the Court.

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21 **SECOND CAUSE OF ACTION**

22 **FRAUD**

23 29. Sherlock incorporates the foregoing paragraphs as if fully set forth herein.

24 30. Harcourt obtained his interest in the Balboa CUP by forging Mr. Sherlock’s signature.

25 31. As a result, Sherlock is entitled to a determination of her rights in the Balboa CUP and a
26 constructive trust covering the Balboa CUP and any sale proceeds derived therefrom.

1 **THIRD CAUSE OF ACTION**

2 **CONSTRUCTIVE FRAUD**

3 32. Sherlock incorporates the foregoing paragraphs as if fully set forth herein.

4 33. Sherlock and Harcourt were business partners.

5 34. Harcourt owed Mr. Sherlock, and Sherlock as a result of Mr. Sherlock's death, fiduciary
6 duties to complete their unfinished business as it relates to, among other things, the Balboa
7 CUP.

8 35. Harcourt violated those fiduciary duties by transferring the Balboa CUP to himself through
9 the forgery of Mr. Sherlock's signature and without compensating Sherlock the fair market
10 value of the Balboa CUP.

11 **UNJUST ENRICHMENT**

12 36. Sherlock incorporates the foregoing paragraphs as if fully set forth herein.

13 37. Harcourt received the benefit of the Ramona and Balboa CUPs by forging Mr. Sherlock's
14 signature.

15 38. Harcourt has retained the benefit of the same at the expense of Sherlock.

16 39. Harcourt's retention of that benefit is unjust because it was obtained through forgery.

17 40. Harcourt's benefit is at the expense of Sherlock.
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19 **PRAYER FOR RELIEF**

20 WHEREFORE, Sherlock prays for judgment as follows:
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22 A. For a declaration that Sherlock is entitled to intervene in this matter;

23 B. For a declaration of Sherlock's interest in the Balboa CUP;

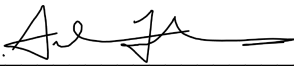
24 C. For imposition of a constructive trust or equitable lien over the proceeds from the sale of
25 the Balboa CUP as a result of Harcourt's forgery of Mr. Sherlock's signature, breach of
26 fiduciary duties, and unjust enrichment;

27 D. For such other relief as the Court deems just.
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DATED: April 4, 2021

LAW OFFICE OF ANDREW FLORES

By 

ANDREW FLORES
Attorney for Plaintiff in Intervention
AMY SHERLOCK