

1 ANDREW FLORES
2 California State Bar Number 272958
3 Law Office of Andrew Flores
4 945 4th Avenue, Suite 412
5 San Diego, CA 92101
6 Telephone: 619.256.1556
7 Facsimile: 619.274.8253
8 Andrew@FloresLegal.Pro

9 Plaintiff *In Propria Persona*
10 and Attorney for Plaintiffs
11 Amy Sherlock and Minors T.S.
12 and S.S.

13 UNITED STATES DISTRICT COURT
14 SOUTHERN DISTRICT OF CALIFORNIA

15 ANDREW FLORES, an individual, AMY
16 SHERLOCK, on her own behalf and on behalf
17 of her minor children, T.S. and S.S.,

18 Plaintiffs,

19 vs.

20 GINA M. AUSTIN, an individual. AUSTIN
21 LEGAL GROUP APC, a California
22 Corporation; LAWRENCE (AKA LARRY)
23 GERACI, an individual; TAX &
24 FINANCIAL CENTER, INC., a California
25 Corporation; REBECCA BERRY, an
26 individual; JESSICA MCELFRISH, an
27 individual; SALAM RAZUKI, an individual.
28 NINUS MALAN, an individual;
MICHAEL ROBERT WEINSTEIN, an
individual; SCOTT TOOTHACRE, an
individual; ELYSSA KULAS, an individual;
FERRIS & BRITTON APC, a California
Corporation; DAVID DEMIAN, an
individual, ADAM C. WITT, an individual,
RISHI S. BHATT, an individual, FINCH,
THORTON, and BAIRD, a Limited Liability
Partnership, JAMES D. CROSBY, an
individual; ABHAY SCHWEITZER, an
individual and dba TECHNE; JAMES (AKA

Case No.: 20-CV-000656-JO-DEB

AFFIDAVIT OF AMY
SHERLOCK IN SUPPORT OF EX
PARTE APPLICATION FOR
ORDER SHORTENING TIME ON
(1) MOTION TO VACATE
ORDER (2) OR,
ALTERNATIVELY, A STAY OF
ACTION

Complaint Filed: April 3, 2020

Judge: Jinsook Ohta
Dept: 4th Floor

JIM) BARTELL, an individual; BARTELL & ASSOCIATES, a California Corporation; NATALIE TRANG-MY NGUYEN, an individual, AARON MAGAGNA, an individual; A-M INDUSTRIES, INC., a California Corporation; BRADFORD HARCOURT, an individual; ALAN CLAYBON, and individual; DOUGLAS A. PETTIT, an individual, JULIA DALZELL, an individual, MICHAEL TRAVIS PHELPS, an individual; THE CITY OF SAN DIEGO, a municipality; 2018FMO, LLC, a California Limited Liability Company; FIROUZEH TIRANDAZI, an individual; and DOES 1 through 50, inclusive,

Defendants.

I, Amy Sherlock, attest as follows:

1. I am an individual over the age of 18 years, reside in Texas, and am a plaintiff in this matter.

2. The facts contained in this declaration are true and correct of my own personal knowledge, except those facts which are stated upon information and belief; and, as to those facts, I believe them to be true. If called upon to do so, I could and would competently testify as to the truth of the facts stated herein.

3. The facts set forth herein are limited to those required to support the ex parte application in the matter captioned above (the "Application").

4. Michael "Biker" Sherlock was my husband, a professional athlete, and an entrepreneur with interests in various businesses, including in the cannabis sector.

5. Biker passed away on December 3, 2015 without a will.

6. The narrative that the world believes is that Biker took his life because he was "broke" and suffering from chronic traumatic encephalopathy (CTE). This narrative is the exclusive result of Stephen Lake's actions (my brother-in-law and Biker's business partner).

7. The day after Biker passed away he told officer Sandra Joseph of the San Diego Police Department (SDPD) that him and Biker had talked about "little things"

1 but that Biker “appeared to be overwhelmed.”

2 8. However, he told me that Biker was depressed and had severe financial
3 problems.

4 9. Within two or three days after Biker passed away, Lake took to my home
5 Dr. Mark Cooper.

6 10. Dr. Cooper spoke with me, my children, and Biker’s family.

7 11. Dr. Cooper concluded at the end of that conversation that Biker was
8 suffering from CTE without ever having met or examined Biker.

9 12. Lake told me that Dr. Cooper is a friend and professional colleague of his.

10 13. I later discovered that Dr. Cooper is a child psychologist with no known
11 specialty in neurology or CTE.

12 14. Subsequently, I called the called the coroner about Biker and sought to
13 have his brain donated for CTE research.

14 15. The coroner told me that Biker did not have CTE.

15 16. In January 2020, I was contacted by attorney Andrew Flores who
16 informed me of a form filed with the State of California (the “Dissolution Form”) that
17 was purportedly executed by Biker that dissolved Leading Edge Real Estate (LERE)
18 submitted to the State three weeks *after* Biker passed away.

19 17. As I came to find out, Biker and defendant Bradford Harcourt (Biker’s
20 business partner) owned LERE.

21 18. LERE owned 8863 Balboa Ave, Suite E, San Diego, CA 92123 (the
22 “Balboa Property”) at which a cannabis conditional use permit (CUP) was issued to
23 Biker (the “Balboa CUP”).

24 19. The signature on the Dissolution Form was not Biker’s. I know my
25 husband’s signature.

26 20. Subsequently a forensic handwriting expert concluded that the signature
27 on the Dissolution Form was most “likely forged”.

28 21. I then started investigating the Balboa CUP and how it was transferred

1 from Biker to Harcourt, as I then believed that was the sequence of transfer of
2 ownership.

3 22. In February 2020, I, along my attorney Andrew Flores went to the City of
4 San Diego's Development Services Department (DSD) and Mayor Kevin Faulconer's
5 office to request documents regarding the Balboa CUP issued at the Balboa Property.

6 23. My requests for information were denied at DSD and at the Mayor's
7 office.

8 24. Specifically, when I arrived at the DSD office, we met with Michelle
9 Sokolowski.

10 25. Ms. Sokolowski said she could not help us and provided me with the
11 contact information for the City Attorney.

12 26. On or about September 20, 2022, I was researching online into the facts
13 and circumstances regarding the transfer of Biker's interest the Balboa CUP.

14 27. My research led me to Freedom of Information Act (FOIA) requests by a
15 third parties that were available online at the City of San Diego's website "OpenDSD."

16 28. I read through each request (17) and every document provided for the
17 Balboa Property available.

18 29. One of the links provided something that was very shocking to me and I
19 did not know prior to this date; the Balboa CUP that had been issued to my husband
20 was, upon his death, not only transferred to me without my knowledge or consent, but
21 that I somehow passed a background check that I never underwent pursuant to an
22 application that I never submitted.

23 30. Without my knowledge, I was named the "sole permit" holder for the
24 "8863 Balboa MMCC Permit" issued at the Balboa Property (the "DSD Sherlock
25 Approval"). (Attached hereto as Exhibit A is a true and correct copy of the DSD
26 Sherlock Approval.)

27 31. Based on Lake's admissions to me and a complaint filed by my husband's
28 business partner, Bradford Harcourt, it is my belief that the Balboa CUP was

1 transferred to my name via forged documents and then again, without my knowledge
2 or consent, to Harcourt.

3 32. I subsequently made FOIA requests and demands of the San Diego Police
4 Department that I be provided copies of *my* alleged application pursuant to which the
5 DSD Sherlock Approval was undertaken.

6 33. I was initially denied this information and I thereafter repeatedly
7 demanded the alleged application submitted by me stating that I had not submitted any
8 such application and that I was never aware that the Balboa CUP had been issued in
9 my name.

10 34. On October 10, 2022, I received a message from Travis Cleveland, a
11 Development Project Manager in the Cannabis Business Division of the City of San
12 Diego regarding my City of San Diego FOIA requests 22-5095 and 22-5096.

13 35. The email states, among other things, that the records “are incomplete.”
14 That the records for the Balboa CUP were “not consistently retained.” Further, that
15 there has been “100% staff turnover over the time period” of the records I have
16 requested. (Attached hereto as Exhibit B is a copy of that email from Cleveland.)

17 36. In short, the evidence that the documents submitted were forged and who
18 at the City was responsible for processing an application from my husband after he had
19 passed away to me and then to Harcourt were not available.

20 37. I believe that the City is covering up evidence of corruption at the DSD
21 office (not just based on the facts set forth above).

22 38. Additionally, among the DSD records provided online pursuant to FOIA
23 requests, I found an email chain from on and around January 18, 2017, between
24 attorney Gina Austin, DSD employee Firouzeh Tirandazi, and Salam Razuki and Ninus
25 Malan. (A copy of that email chain is attached hereto as Exhibit C.)

26 39. That document has now been deleted from the City’s website *after* I
27 requested it pursuant to my own FOIA request stating it was evidence of fraud and I
28 have been told that it is not available.

1 40. As this case has progressed, I have continued to learn things about the
2 facts and circumstances surrounding my husband's death which now leave me with a
3 fervent belief that he was murdered.

4 41. I believe that Lake had a role in my husband's murder along with Harcourt
5 and Razuki. They, and defendant Ninus Malan, were among the parties who acquired
6 Biker's assets after his death.

7 42. Lake admitted to me that the he was responsible for the transfer of Biker's
8 ownership interests in two cannabis dispensaries.

9 43. Lake admitted this after I confronted him 2020 that I was aware that the
10 Dissolution Form had been forged after Biker passed away regarding the Balboa CUP.

11 44. However, in 2015, after Biker passed, Lake had assured me that Biker no
12 longer had an interest in the Balboa CUP.

13 45. When I confronted Lake, he initially alleged that he did so to help me.
14 However, when I asked about the proceeds from the sale and operations of the two
15 businesses, Lake told me that I should be happy with Biker's life insurance policy and
16 that I would not be getting anything because Biker's contributions to the acquisition of
17 the dispensaries were "worthless."

18 46. After Lake told me that, I have reached my current belief that Lake
19 brought Dr. Cooper to my home and had him "diagnose" Biker based on conversations
20 with his family and parents to provide a fabricated reason for Biker's death and to
21 support the belief that he committed suicide.

22 47. Lake furthered this narrative before over 500 of Biker's family and friends
23 at Biker's funeral by stating that Biker himself believed something was wrong with
24 himself. Specifically, Lake said that Biker had appointments with medical specialists
25 and had scheduled a "brain scan."

26 48. These statements are not true. I would have known had Biker made an
27 appointment for a "brain scan" as I handled all his medical appointments.
28

1 49. To be completely honest, I have avoided looking at much of the things
2 surrounding Biker's death as it has been very painful to deal with and I have been
3 preoccupied with taking care of our two sons T.S. and S.S.

4 50. I did not review the autopsy report for Biker until February 2020, an
5 absolutely horrific experience.

6 51. The autopsy report contained so many suspicious facts that it only
7 furthered my belief Biker's death was not a suicide. The current conclusion in the
8 Coroner's report is that Biker died by a self-inflicted gunshot wound, however no
9 gunshot residue was found on either of his hands, no shell casing was ever found, the
10 magazine of the firearm was partially dislodged, and although he was right-handed the
11 gun was found near his left hip. In addition to this was the fact that the report stated:
12 "A 1 x1 inch red abrasion on the right forehead just above the lateral aspect of the right
13 eyebrow. A 1/16-inch round abrasion is on the chin region. Multiple abrasions are on
14 the posterior aspect of the right hand and the digit of the right hand. A 1 x 1 inch faint
15 red-pink contusion is on the anterolateral aspect of the distal right leg." (A copy of that
16 portion of the Coroner's Report is attached as Exhibit D.)

17 While I am no doctor I can say, without reservation that Biker did not leave our
18 home that night with those injuries. It now appears obvious to me that Biker was in
19 some kind of physical altercation, clearly in a desperate fight for his life.

20 52. Further, another fact to believe Biker did not commit suicide is an
21 interview by an investigative reporter with Phil Zamora, an employee of Salam Razuki.

22 53. Zamora, in his interview, stated his belief that Razuki had something to
23 do with Biker's death.

24 54. Prior to knowing about the DSD Sherlock Approval of my alleged
25 application for the Balboa CUP, Zamora's allegation was not credible because the
26 Balboa CUP and the Balboa Property were transferred to Razuki and Malan after I
27 believed they had been acquired by Lake and Harcourt.
28

1 55. However, it is my understanding that Harcourt filed a complaint against,
2 among others, Razuki and Malan alleging they defrauded him of the Balboa CUP and
3 that they were in negotiations in March 2016, when the Balboa CUP was still in my
4 name.

5 56. Therefore, because both Harcourt/Lake and Razuki/Malan were working
6 together at the same time regarding the Balboa CUP while it was in my name, Zamora’s
7 belief is now significantly credible and more than plausible.

8 57. Lake recently has also alleged that there was a bridge loan by Biker that
9 was due and, consequently, *implied* that Biker signed away over \$10,000,000 in assets
10 to Harcourt hours before he passed away.

11 58. If this was true, why did he not tell the SDPD or the investigators about
12 Biker signing away over \$10,000,000 in assets until I brought suit?

13 59. It contradicts Lake’s statement to Officer Joseph the day after Biker
14 passed away that he and Biker had discussed “little things.”

15 60. My belief is that it is a lie. A belief supported by the fact that DSD
16 approved the background check for me for the Balboa CUP.

17 61. Lake could easily have forged the documents needed to transfer the
18 Biker’s assets from his name to my name and then to Harcourt.

19 62. I trusted Lake, he is my brother-in-law. But I do know him to be consumed
20 by his pursuit of money and while I do not believe that he would personally have
21 murdered Biker, I do believe he is capable of allowing it to happen if it means his
22 acquisition of millions of dollars. Especially if Biker would not go along with any plans
23 that Lake would have wanted Biker to do.

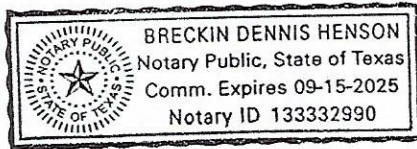
24 63. I have spoken to law enforcement about my suspicions. However, I cannot
25 rely on them for justice and will seek out the truth, however long it takes. I just ask that
26 this Court can do everything in its power to afford me the opportunity to do so.
27
28

1 I declare under penalty of perjury under the laws of the States of California and
2 Texas that the foregoing is true and correct, and that this affidavit was executed on
3 October 11, 2022.

4 Amy Sherlock
Amy Sherlock

8 State of TX County of Denton
9 The foregoing instrument was acknowledged before me
10 this 12th day of October, 2022,
11 by Amy Sherlock
Breckin Henson Notary Public
12 My Commission Expires 9-15-2025

I acknowledge that
there are 30 pages
[Signature]



16 [Signature]

EXHIBIT-A

Approval #1675894 - Special Permit



Approval Information	
Status	Issued
Issued	03/17/2016
Issued by	Gutierrez, Edith
Permit Holder	Amy Sherlock
Net Change DU	
Valuation	\$0.00
Sq. Footage	
First Inspection	
Complete Date	
Scope	Background Checks
Job	
Map	
Address	8863 BALBOA AV
APN	369-150-13-23
BC Codes	
Project	
Project ID	467963
Account	
Admin Hold	No
Project Name	8863 Balboa MMCC Permit
Project Contact	Gutierrez, Edith (619)446-5000 dsdprojectinfo@sandiego.gov
Project Scope	Backgrounds

Fees				
Type	Category	Quantity	Type Unit	Status
There are no Fees associated with this approval				

- Exceptions >
- Inspections >
- Issues >
- Dependent Approvals >
- Dependent Packages >

Data TimeStamp: 09/20/2022 13:18:32

EXHIBIT-B

From: Cleveland, Travis

Sent: Monday, October 10, 2022 12:03 PM

To: Amy Sherlock

Cc: sandiego_22-5096-requester-notes@inbound.nextrequest.com

Subject: RE: RE: [External Message Added] City of San Diego public records request #22-5095

Hi Amy,

I discussed with Public Records staff that we acknowledge that the background check records are incomplete. I apologize if that information didn't make it to you. I assumed that it would, but I did not confirm. The fault there is mine,

Background check forms (DS-192s) and Annual Operating Permits (DS-191s) have not been consistently retained once the process was completed. I don't know why this is; I only know that it is the case. There has been 100% staff turnover over the time period you are interested in, so there is no one available for me to ask the reason for this. I have spent a few hours attempting to locate additional information for you.

The only records I was able to locate were the ones I have already sent to you. Additional records do not exist. I would provide them if I could.

Moving forward, forms will be retained electronically. Unfortunately, this doesn't help us with your current request.

Your original PRA request was for background check forms, and I note that your second request to the PRA staff was for an "ownership declaration". Other staff responded to that request, but I note that only the most recent ownership disclosure was sent. I will attach the statement for the original CUP to that email.

It seems like you are trying to compile some sort of project timeline or history. I want to help you in any way I can. If you can disclose the underlying reason for your request to me, I may be able to offer you additional assistance in locating information. Please let me know. If a phone call would be easier, you can reach me at the number below. I assure you that I am happy to help and will freely provide you anything we have. I am happy to directly share information on anything cannabis-related; you do not need to make a formal Public Records Act request. I will treat any informal request as if it is a formal one (because it is!), and I can offer you faster service directly. If you aren't satisfied with my answers you can follow up with a PRA request at any time.

Thanks!

Respectfully,

Travis Cleveland

Development Project Manager

Cannabis Business Division
City of San Diego
Development Services Department

☎ : 619-446-5407 (desk)

☎ : 619-647-5539 (cell)

SanDiego.gov/DSD



When emailing about a Cannabis Outlet or Cannabis Production Facility, please include the address in your inquiry.

Need to request a second opinion on an interpretation, or contact my supervisor for further assistance?

Supervisor Name and Title: Lara Gates, Deputy Director

Phone: 619-446-5107

Email: LNGates@sandiego.gov

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From: Amy Sherlock <amyjoshlock@gmail.com>

Sent: Monday, October 10, 2022 9:56 AM

To: Cleveland, Travis <TCleveland@sandiego.gov>; sandiego_22-5095-requester-notes@inbound.nextrequest.com

Subject: [EXTERNAL] RE: [External Message Added] City of San Diego public records request #22-5095

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Thank you for your response, however incomplete it is. The permit for the address was issued in my name in March 2016. Please provide the DS 192 form for myself, AMY SHERLOCK, AND for all the people listed at this address that you've provided. Please reopen my request since the information requested is public record and the City of San Diego has refused to provide it.

Sent from [Mail](#) for Windows

From: [City of San Diego Public Records](#)

Sent: Monday, October 10, 2022 7:50 AM

To: amyjoshlock@gmail.com

Subject: [External Message Added] City of San Diego public records request #22-5095

-- Attach a non-image file and/or reply ABOVE THIS LINE with a message, and it will be sent to staff on this request. --

City of San Diego Public Records

A message was sent to you regarding record request #22-5095:

Good morning,
Attached please find additional records that are responsive to your Public Records Act request #22-5095. The Development Services Department has provided the following contact information in the event that you have additional questions.

Travis Cleveland - TCleveland@sandiego.gov

Kind regards.

View Request 22-5095

<https://sandiego.nextrequest.com/requests/22-5095>

The All in One Records Requests Platform

Questions about your request? Reply to this email or sign in to contact staff at City of San Diego.

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From: Cleveland, Travis
Sent: Monday, October 10, 2022 12:03 PM
To: Amy Sherlock
Cc: sandiego_22-5096-requester-notes@inbound.nextrequest.com
Subject: RE: RE: [External Message Added] City of San Diego public records request #22-5096

Hi Amy,

If you are looking for an ownership disclosure statement, those are documents received at the time of CUP application. They disclose who had ownership of the property and related financial interests at the time of application.

You were sent the most recent one, I have attached the original from 2015.

If you are looking for anything else, please see my response to the other email chain. It may be that multiple Public Records Act requests are not the most efficient way for us to help you. I think we need to know more about the reason you are looking for all this information to help you better. I am happy to collaborate with you if you like.

Respectfully,

Travis Cleveland

Development Project Manager
Cannabis Business Division
City of San Diego
Development Services Department

☎ : 619-446-5407 (desk)

☎ : 619-647-5539 (cell)

SanDiego.gov/DSD



When emailing about a Cannabis Outlet or Cannabis Production Facility, please include the address in your inquiry.

Need to request a second opinion on an interpretation, or contact my supervisor for further assistance?

Supervisor Name and Title: Lara Gates, Deputy Director

Phone: 619-446-5107

Email: LNGates@saniego.gov

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From: Amy Sherlock <amyjosherslock@gmail.com>
Sent: Monday, October 10, 2022 10:33 AM
To: Cleveland, Travis <TCleveland@sandiego.gov>; sandiego_22-5096-requester-notes@inbound.nextrequest.com
Subject: [EXTERNAL] RE: [External Message Added] City of San Diego public records request #22-5096

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Thank you for your response. It's missing the requested information. There has to be an Ownership Declaration for Ninus Malan. He owned and operated this dispensary for a couple years. That's public knowledge and you've sent me his approval for the permit. Please reopen this request because I'm demanding the DS 318 for Ninus Malan at the 8863 Balboa Ave, #E. Thank you.

Sent from [Mail](#) for Windows

From: [City of San Diego Public Records](#)
Sent: Monday, October 10, 2022 7:51 AM
To: amyjosherslock@gmail.com
Subject: [External Message Added] City of San Diego public records request #22-5096

-- Attach a non-image file and/or reply ABOVE THIS LINE with a message, and it will be sent to staff on this request. --

City of San Diego Public Records

A message was sent to you regarding record request #22-5096:

Good morning,

Attached please find additional records that are responsive to your Public Records Act request #22-5096. The Development Services Department has provided the following contact information in the event that you have additional questions.

Travis Cleveland - TCleveland@sanidiego.gov

Kind regards.

[View Request 22-5096](#)

<https://sanidiego.nextrequest.com/requests/22-5096>

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EXHIBIT-C

From: [Jim Bartell](#)
To: [Gonsalves, Ann](#); [Ahmadi, Afsaneh](#)
Cc: [Mohajerani, Ehsan](#)
Subject: Balboa MMCC (project # 550727)
Date: Monday, June 12, 2017 3:54:42 PM
Attachments: [image001.jpg](#)

Afsaneh,
Are you, Ann and Ehsan available this week to meet on the Balboa unit B parking issue.
Thank you.
Jim

Jim Bartell
President



5333 Mission Center Road, Suite 115
San Diego, California 92108
Phone (619) 704-0180 | Fax (619) 704-0185
Mobile (619) 787-0333

BartellAssociates.com

From: [Jeremy Wysocki](#)
To: salamrazuki@yahoo.com; ninusmalan@yahoo.com
Cc: rennybowden@gmail.com; bradford@equitycapital.us; "michael hayford"; reokeith@gmail.com; [Tirandazi, Firouzeh](#); [Daly, Tim](#); [Nima Darouian](#)
Subject: Conditional Use Permit No. 296130 and 8863 Balboa Ave.
Date: Tuesday, March 07, 2017 2:15:33 PM
Attachments: [image002.jpg](#)
[Demand Letter \(8863 Balboa Ave.\) \(3-7-2017\) \(02253020xA9B4D\).pdf](#)

Good afternoon. My law firm is legal counsel to San Diego Patients Consumer Cooperative, Inc. Please see the attached letter regarding our Client's rights and interests in connection with Conditional Use Permit No. 1296130 and 8863 Balboa Ave., Unit E, San Diego, CA 92123. Let me know if you have any questions or comments. My contact information is listed below.



Jeremy S. Wysocki

Partner

Messner Reeves LLP

1430 Wynkoop Street | Suite 300

Denver CO 80202

303 623 1800 main | 303 405 4193 direct | 303 396 8200 cell

303 623 0552 fax

jwysocki@messner.com

messner.com

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From: [Austin, Gina](#)
To: [Tirandazi, Firouzeh](#)
Subject: FW: Fwd: Balboa MMCC
Date: Thursday, January 19, 2017 3:58:43 PM
Attachments: [medical marijuana permit - Balboa Ave.pdf](#)

Here you go.

Gina

Gina M. Austin

AUSTIN LEGAL GROUP, APC | 3990 Old Town Ave., Ste A112, San Diego, CA 92110 |
Ofc: 619-924-9600 | Cell 619-368-4800 | Fax 619-881-0045

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From: Ninus Malan [mailto:ninusmalan@yahoo.com]
Sent: Thursday, January 19, 2017 3:40 PM
To: Austin, Gina
Cc: FTirandazi@sandiego.gov
Subject: Re: Fwd: Balboa MMCC

See attached. Thank you for everything.

Ninus Malan
American Lending and Holdings LLC
Razuki Investments LLC
Lemon Grove Plaza LP
7977 Broadway
Lemon Grove CA, 91945
Main(619)750-2024
Fax (619)869-7717
NinusMalan@Yahoo.com

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From: "Austin, Gina" <gaustin@austinlegalgroup.com>
To: Ninus Malan <ninusmalan@yahoo.com>
Sent: Wednesday, January 18, 2017 5:43 PM
Subject: Fwd: Balboa MMCC

Fyi. Call me with any questions

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: "Tirandazi, Firouzeh" <FTirandazi@sandiego.gov>
Date: 1/18/17 2:22 PM (GMT-08:00)
To: "Austin, Gina" <gaustin@austinlegalgroup.com>
Subject: RE: Balboa MMCC

Good afternoon,

Ninus Malan has passed background. Are there any other responsible persons affiliated with this MMCC? If so, they will also need to go through the background process.

Please have Mr. Malan complete and sign the attached MMCC Permit required pursuant to Chapter 4, Article 2, Division 15 of the SDMC and email back for processing.

Thank you.

Firouzeh Tirandazi
Development Project Manager
City of San Diego
Development Services Department

(619)446-5325
sandiego.gov

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-----Original Message-----

From: Austin, Gina [<mailto:gaustin@austinlegalgroup.com>]
Sent: Tuesday, January 10, 2017 3:36 PM
To: Tirandazi, Firouzeh <FTirandazi@sandiego.gov>
Subject: RE: Balboa MMCC

Good afternoon,

I understand my client sent the stamped articles last week. Can you send the proper forms for him to get the background check?

Thanks
Gina

-----Original Message-----

From: Austin, Gina
Sent: Thursday, January 5, 2017 1:52 PM
To: Tirandazi, Firouzeh (FTirandazi@sandiego.gov)
Subject: Balboa MMCC

Good afternoon,

I have attached the articles of incorporation of the new collective that will be operating out of Balboa as well as the deed showing the new ownership.

Please forward the appropriate forms to me for the background check for Mr. Malan and we will get this moving quickly.

Gina

Gina M. Austin
AUSTIN LEGAL GROUP, APC | 3990 Old Town Ave., Ste A112, San Diego, CA

92110 |

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Version: 2016.0.7996 / Virus Database: 4749/13794 - Release Date: 01/18/17

EXHIBIT-D



County of San Diego

GLENN N. WAGNER, D.O.
CHIEF MEDICAL EXAMINER

OFFICE OF THE MEDICAL EXAMINER
5570 OVERLAND AVE., SUITE 101, SAN DIEGO, CALIFORNIA 92123-1206
TEL: (858) 694-2895 FAX: (858) 495-5956

INVESTIGATIVE REPORT

1/5/2016

CALL INFO	NAME OF DECEASED (LAST, FIRST MIDDLE) SHERLOCK, Michael De Carlo		AKA		HIO <input type="checkbox"/>	CASE NUMBER 15-02760		
	INVESTIGATOR Sandra Joseph		REPORTED BY Officer Armstrong ID		REPORTING AGENCY San Diego County Medical Examiner		PREVIOUS WAIVE #	
	CALL DATE AND TIME 12/03/2015 0703		ARRIVAL DATE AND TIME 12/03/2015 0810		RETURN DATE AND TIME 12/03/2015 1300			
DECEDENT	DATE AND TIME OF DEATH 12/03/2015 0634		DATE OF BIRTH 01/25/1968	AGE 47 Years	GENDER Male	RACE White		
	RESIDENCE (STREET, CITY, STATE, ZIP) 5439 Westknoll Drive San Diego, CA 92109				COUNTY	LAST SEEN ALIVE 12/2/2015 2000		
	COUNTRY OF RESIDENCE USA		OCCUPATION Self-employed			PAID AUTOPSY <input type="checkbox"/>		
DEATH	LOCATION OF DEATH Found, Tourmaline Surfing Park			TYPE OF PLACE Other				
	ADDRESS (STREET, CITY, STATE, ZIP) N 32 48 20 W 117 15 47 La Jolla, CA 92037							
	SUMMARY The decedent was a 47 year old, married, White male who resided in San Diego with his wife and two minor children. The decedent was last seen by his wife on the evening of 12/3/2015 when he was upset and said he was going to the beach. On the morning of 12/3/2015, a surfer at Tourmaline Surfing Park saw the decedent seated on the rocky beach against the cliff. As he approached, he saw blood on his face and a gun at his left hip. The surfer called 9-1-1. San Diego Police Department and San Diego Fire Department engine 21 responded to the scene and death was confirmed without intervention. Medical Examiner's jurisdiction invoked according to the California Government Code 27491: Death due to known or suspected suicide.							
INCIDENT	LOCATION OF INCIDENT Beach			INCIDENT PLACE TYPE AT WORK <input type="checkbox"/> AT RESIDENCE <input type="checkbox"/>				
	ADDRESS (STREET, CITY, STATE, ZIP) N 32 48 20 W 117 15 47 La Jolla, CA 92037			COUNTY San Diego				
	DATE AND TIME OF INCIDENT 12/03/2015 Unk		INVESTIGATING AGENCY San Diego Police		OFFICER Officer Armstrong	BADGE # 7324	REPORT #	
	DECEDENT WAS		BELTED	HELMETED <input type="checkbox"/> Yes <input type="checkbox"/> No		POSITION		ON PRIVATE PROPERTY <input type="checkbox"/> Yes <input type="checkbox"/> No
	VEHICLE				LICENSE NUMBER		STATE	
NOTIFICATION	IDENTIFIED BY Sandra Joseph			METHOD Personal Effects		DATE AND TIME 12/03/2015 0810		
	FUNERAL HOME Bayview Cremation & Burial			PROPERTY <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		PUBLIC ADMINISTRATOR <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	TYPE OF EXAM Autopsy	
	NAME OF NOK OR OTHER Amy Sherlock		RELATIONSHIP Wife	DATE NOTIFIED 12/3/2015		NOTIFIED BY Other		
	NAME OF NOK OR OTHER Steve Lake		RELATIONSHIP Brother in law	DATE NOTIFIED 12/3/2015		NOTIFIED BY Law Informant		

AUTOPSY REPORT

-5-

MICHAEL SHERLOCK 15-2760

The genitalia are those of an adult male with bilaterally descended testes palpated within the scrotum.

SCARS AND OTHER IDENTIFYING MARKS: Scattered incidental scars are on the body.

TATTOOS: None.

POSTMORTEM CHANGES: The body is cold. Rigor is moderate in all extremities and in the jaw. Lividity is unfixated on the posterior surface of the body except in areas exposed to pressure.

EVIDENCE OF INJURY

PENETRATING INTRAORAL GUNSHOT WOUND:

In the oral cavity located midline is an entrance gunshot wound located approximately 9 inches below the top of the head. No obvious sore surrounds the wound. There is injury to the oral mucosa, tongue (1-3/4 x 1-1/2 inch stellate injury with soot surrounding the wound), soft palate to include uvula, posterior pharynx, clivus of base of skull, brainstem/upper spinal cord (transected), and soft tissue of posterior aspect of neck. No exit wound is identified. A partially deformed copper-colored jacketed bullet is recovered from the soft tissue of the posterior aspect of the neck. The bullet pathway is directed front-to-back and upward with no significant right/left deviation. Associated with this gunshot wound is hemorrhage along the wound path, subarachnoid hemorrhage greater at the base and right side of the brain, subdural hemorrhage (approximately 20 ml), linear fractures of the anterior cranial fossae and right and left sides of the posterior cranial fossa, contusions of the inferior temporal lobes of the brain, hemoaspiration, fine oral stretch marks on right and left aspects of skin of lips, and multiple contusions and abrasions of the lower lip.

MINOR INJURIES:

A 1 x 1 inch red abrasion is on the right forehead, just above the lateral aspect of the right eyebrow. A 1/16 inch round abrasion is on the chin region. Multiple abrasions are on the posterior aspect of the right hand and digits of the right hand. A 1 x 1 inch faint red-pink contusion is on the anterolateral aspect of the distal right leg.

INTERNAL EXAMINATION

ABDOMINAL WALL: The subcutaneous fat layer measures up to 3.0 cm thick.

BODY CAVITIES: There are extensive adhesions in the peritoneal cavity. The pleural and pericardial cavities are free of adhesions. All body cavities contain normal amounts