

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

MINUTE ORDER

DATE: 10/21/2022

TIME: 09:00:00 AM

DEPT: C-75

JUDICIAL OFFICER PRESIDING: James A Mangione

CLERK: Meaghan Abosamra

REPORTER/ERM: Sandra Nalley CSR# 13607, Jamie Billings CSR# 8296

BAILIFF/COURT ATTENDANT: M. Palafox

CASE NO: **37-2021-00050889-CU-AT-CTL** CASE INIT.DATE: 12/03/2021

CASE TITLE: **Sherlock vs Austin [EFILE]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Antitrust/Trade Regulation

EVENT TYPE: Motion Hearing (Civil)

EVENT TYPE: Demurrer / Motion to Strike

EVENT TYPE: Motion Hearing (Civil)

Additional events listed on last page.

APPEARANCES

Andrew Flores, counsel, present for Plaintiff,Appellant(s) via remote video conference.

Laura E Stewart, counsel, present for Defendant(s) via remote video conference.

James D Crosby, counsel, present for Defendant(s).

MOTION HEARING:

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

Defendants Larry Geraci and Rebecca Berry's Demurrer to Plaintiffs' First Amended Complaint is sustained without leave to amend.

Plaintiffs failed to file an opposition, thereby conceding the merits of the motion. (Cal. Rules of Court, Rule 8.54(c).)

Defendants' Motion to Strike Portions of Plaintiffs' First Amended Complaint and Special Motion to Strike Plaintiffs' First Amended Complaint Pursuant to Civil Procedure Section 425.16 (Anti-SLAPP Statute) are denied as moot.

The minute order is the order of the Court.

Defendants are directed to serve notice on all parties within five (5) court days.

Motion Hearing (Civil) is continued pursuant to Court's motion to 10/27/2022 at 08:30AM before Judge James A Mangione.

Demurrer / Motion to Strike is continued pursuant to Court's motion to 10/27/2022 at 08:30AM before Judge James A Mangione.

Status Conference (Civil) is advanced pursuant to Court's motion to 10/27/2022 at 08:30AM before Judge James A Mangione.

Parties waive notice.

James A. Mangione

Judge James A Mangione

ADDITIONAL EVENTS:

EVENT TYPE: SLAPP / SLAPPback Motion Hearing

EVENT TYPE: Demurrer / Motion to Strike