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9 Attorneys for Plaintiffs
10 SAN DIEGO PATIENTS COOPERATIVE CORPORATION, INC.;
and BRADFORD HARCOURT
11

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF SAN DIEGO**

14 SAN DIEGO PATIENTS COOPERATIVE)
15 CORPORATION, INC., a California)
cooperative corporation, and BRADFORD)
16 HARCOURT, an individual,)

17 Plaintiffs,)

18 v.)

19 RAZUKI INVESTMENTS, L.L.C., a)
California limited liability company;)
20 BALBOA AVE COOPERATIVE, a)
California cooperative corporation;)
21 AMERICAN LENDING AND)
HOLDINGS, LLC, a California limited)
22 liability company; SAN DIEGO UNITED)
HOLDINGS GROUP, LLC, a California)
23 limited liability company; CALIFORNIA)
CANNABIS GROUP, a nonprofit mutual)
24 benefit corporation; SALAM RAZUKI, an)
individual; NINUS MALAN, an individual,)
25 KEITH HENDERSON, an individual, AND)
DOES 1-20, INCLUSIVE,)

26 Defendants.)
27)
28)

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

12/12/2023 at 11:18:00 AM

Clerk of the Superior Court
By Nora Lopez, Deputy Clerk

Case No. 37-2017-00020661-CU-CO-CTL

Honorable Eddie C. Sturgeon, Dept. C-67

**DECLARATION OF CHARLES
CAVANAGH IN SUPPORT OF EX PARTE
APPLICATION FOR ENTRY OF
JUDGMENT ON JURY VERDICT**

Date: December 14, 2023

Time: 8:30 a.m.

Courtroom: C-67

Complaint Filed: June 7, 2017

Trial Date: October 27, 2023

1 I, Charles Cavanagh, declare and state as follows:

2 1. I am a partner of the law firm of Messner Reeves, LLP, counsel of record in this
3 matter for plaintiffs San Diego Patients Cooperative Corporation, Inc. and Bradford Harcourt
4 (together, "Plaintiffs"). I make this declaration based upon my own personal knowledge and
5 can testify truthfully to the facts set forth herein if called to do so.

6 2. This matter was tried to a jury between October 30, 2023, and November 14,
7 2023.

8 3. On November 14, 2023, the jury returned a verdict in favor of plaintiff Bradford
9 Harcourt and against defendant Razuki Investments LLC in the amount of \$2,500,000.00.

10 4. At the Court's request, I stipulated to relieve the Court of its obligation under
11 Code of Civil Procedure section 664 to enter judgment in conformity with the verdict within 24
12 hours of rendition of the verdict.

13 5. On November 17, 2023, I lodged a Proposed Judgment with the Court. On
14 November 20, 2023, Defendants Salam Razuki and Razuki Investments LLC filed Objections to
15 the Proposed Judgment that I lodged on behalf of Plaintiffs. On November 29, 2023,
16 Defendants Ninus Malan and American Lending & Holdings LLC filed Objections to the
17 Proposed Judgment that I lodged on behalf of Plaintiffs.

18 6. On November 28, 2023, Defendants Salam Razuki and Razuki Investments LLC
19 lodged a Proposed Judgment with the Court. Later in the day on November 28, 2023, I filed
20 Objections on behalf of Plaintiffs to the Proposed Judgment lodged by Defendants Salam
21 Razuki and Razuki Investments LLC.

22 7. To date, the Court has not entered Judgment in this matter.

23 8. Pursuant to California Rule of Court 3.1203(a), on December 12, 2023, I
24 provided notice of this Application and of the hearing thereon to counsel of record for
25 Defendants Salam Razuki, Razuki Investments LLC, Ninus Malan, and American Lending &
26 Holdings LLC.

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9. As of the time of the filing of this Application, I have not heard back from any of Defendants' counsel regarding Defendants' positions on the Application or their plans to appear at the hearing thereon.

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

Executed this 12th day of December 2023, at Denver, Colorado.



Charles Cavanagh

1 **PROOF OF SERVICE**

2 I am employed in the County of Denver, Colorado. I am over the age of eighteen years
3 and not a party to the within entitled action; my business address is 1550 Wewatta Street, Suite
4 710, Denver, Colorado 80202.

5 On December 12, 2023, I caused to be served the foregoing document described as:

6 **DECLARATION OF CHARLES CAVANAGH IN SUPPORT OF EX PARTE**

7 **APPLICATION FOR ENTRY OF JUDGMENT ON JURY VERDICT** on the interested
8 parties as follows:

9 Douglas Jaffe
10 LAW OFFICES OF DOUGLAS JAFFE
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Attorney for Defendants Razuki Investments,
L.L.C. and Salam Razuki

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Attorney for Defendants Ninus Malan and
American Lending and Holdings, LLC

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15
16 [x] ELECTRONIC-SERVICE/E-MAIL: Pursuant to California Rules of Court, Rule
17 2.251(b)(1)(B), a court order or by consent/agreement of the parties to accept service by e-mail
18 and/or electronic submission, I cause the above-referenced document(s) to be sent to the persons
indicated above at the email address set forth above from either the Court’s electronic filing
service or by personal email.

19 [x] BY OVERNIGHT DELIVERY [CCP §1013(a)] By placing [] the original [x] a true
20 copy thereof enclosed in a sealed envelope(s) addressed as to the above-named counsel of record
21 or parties in propria persona. I caused such envelope to be deposited in the Federal Express box
at 11620 Wilshire Blvd., Los Angeles, CA 90025, which is regularly maintained by Federal
Express, with delivery fees pre-paid and provided for, addressed to the person on whom said
document is to be served.

22
23 I declare under penalty of perjury under the laws of the State of Colorado that the
24 forgoing is true and correct.

25 DATED: December 12, 2023

26 /s/ Tara L. Nelson
Tara L. Nelson