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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 RECEIVED**  
Superior Court of California,  
County of San Diego  
**06/28/2023** at 03:01:16 PM  
Clerk of the Superior Court  
By Malka Manneh, Deputy Clerk

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

Honorable Eddie C. Sturgeon, Dept. C-67

**[PROPOSED] ORDER GRANTING  
PLAINTIFF SAN DIEGO PATIENTS  
COOPERATIVE CORPORATION, INC.'S  
MOTION FOR SANCTIONS AGAINST  
DEFENDANTS NINUS MALAN;  
AMERICAN LENDING AND HOLDINGS,  
LLC; AND SAN DIEGO UNITED  
HOLDINGS GROUP, LLC**

Date: December 8, 2023

Time: 9:00 a.m.

Courtroom: C-67

Complaint Filed: June 7, 2017

Trial Date: August 25, 2023

**[PROPOSED] ORDER GRANTING PLAINTIFF SAN DIEGO PATIENTS COOPERATIVE  
CORPORATION, INC.'S MOTION FOR SANCTIONS AGAINST DEFENDANTS NINUS MALAN;  
AMERICAN LENDING AND HOLDINGS, LLC; AND SAN DIEGO UNITED HOLDINGS GROUP, LLC**

1 The motion of plaintiff San Diego Patients Cooperative Corporation, Inc. (“Plaintiff”)  
2 for sanctions against defendants Ninus Malan (“Malan”); American Lending and Holdings,  
3 LLC (“American Lending”); and San Diego United Holdings Group, LLC (“San Diego  
4 United”) came on for a hearing before this Court on this date.

5 The papers submitted by the parties having been reviewed and considered, the oral  
6 arguments of counsel having been presented, and good cause appearing therefor,

7 Plaintiff’s motion is GRANTED.

8 IT IS HEREBY ORDERED that each of Malan, American Lending, and San Diego  
9 United is precluded from offering at the trial of this matter any evidence that is not disclosed in  
10 the written discovery responses they served and/or the documents they produced in this  
11 litigation prior to June 28, 2023.


12 IT IS HEREBY FURTHER ORDERED that, in addition to the \$3000 in monetary  
13 sanctions that they have already been ordered to pay jointly, each of Malan, American Lending,  
14 and San Diego United shall pay to Plaintiff, within 30 days of the date of this Order, additional  
15 monetary sanctions in the amount of \$6000.

16  
17 Dated: \_\_\_\_\_

18  
19 \_\_\_\_\_  
Hon. Eddie C. Sturgeon  
Judge of the Superior Court

20  
21 Respectfully submitted,

22 MESSNER REEVES, LLP

23  
24   
25 By: \_\_\_\_\_  
Allan B. Claybon  
26 Mark Collier  
27 Charles C. Cavanagh  
Attorneys for Plaintiffs

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 June 28, 2023, I caused to be served the foregoing document described as:

6 **[PROPOSED] ORDER GRANTING PLAINTIFF SAN DIEGO PATIENTS**  
7 **COOPERATIVE CORPORATION, INC.’S MOTION FOR SANCTIONS AGAINST**  
8 **DEFENDANTS NINUS MALAN; AMERICAN LENDING AND HOLDINGS, LLC; AND**  
9 **SAN DIEGO UNITED HOLDINGS GROUP, LLC** on the interested parties as follows:

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18 L.L.C. and Keith Henderson and  
19 Defendant/Cross-Complainant Salam Razuki

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LLC, American Lending and Holdings, LLC

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San Diego, CA 92123

California Cannabis Group  
1011 Camino Del Rio S #210  
San Diego, CA 92108

18  ELECTRONIC-SERVICE/E-MAIL: Pursuant to California Rules of Court, Rule  
19 2.251(b)(1)(B), a court order or by consent/agreement of the parties to accept service by e-mail  
20 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.

21  BY OVERNIGHT DELIVERY [CCP §1013(a)] By placing [ ] the original  a true  
22 copy thereof enclosed in a sealed envelope(s) addressed as to the above-named counsel of record  
or parties in propria persona. I caused such envelope to be deposited in the Federal Express box  
23 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.

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

26 DATED: June 28, 2023

27 /s/ Tara L. Nelson  
Tara L. Nelson