

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

MINUTE ORDER

DATE: 05/31/2024

TIME: 09:00:00 AM

DEPT: C-75

JUDICIAL OFFICER PRESIDING: James A Mangione

CLERK: Natalie Calantoc

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT: Z. Nuheir

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: Status Conference (Civil)

APPEARANCES

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

Douglas A Pettit, counsel, present for Defendant,Respondent on Appeal(s).

Andrew Hall, counsel for Defendant, present via remote video conference

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

Plaintiffs Amy Sherlock, T.S. Sherlock, S.S. Sherlock, and Andrew Sherlock's Motion to Vacate Judgment is denied.

The judgment challenged by Plaintiffs has been affirmed by the Court of Appeal. (*Sherlock v. Austin* (Cal. Ct. App., Sept. 18, 2023) 2023 WL 6053806.) This ruling is now the law of the case, and the Court finds no basis for vacating the judgment.

Additionally, the Court notes that the moving papers filed by Plaintiffs exceeded the page limits authorized by ten (10) pages, which is itself a basis for refusing to consider the motion. (See Cal. Rules of Ct., rule 3.1113(d), (g); *Rancho Mirage Country Club Homeowners Assn. v. Hazelbaker* (2016) 2 Cal.App.5th 252, 262 ("[A] trial court has broad discretion to accept or reject late-filed papers.").)

The minute order is the order of the Court.

STATUS CONFERENCE

Attorney Flores states they are in the process of discovery.

The Court continues the status conference to allow time to dismiss some defendants.

Status Conference (Civil) is continued pursuant to Court's motion to 07/12/2024 at 09:45AM before Judge James A Mangione.

Court orders Attorney Flores to give notice for next hearing.



Judge James A Mangione