

1 JAMES D. CROSBY (SBN 110383)
Attorney at Law
2 550 West C Street, Suite 620
San Diego, CA 92101
3 Telephone: (619) 450-4149
crosby@crosbyattorney.com

4 FERRIS & BRITTON
A Professional Corporation
5 Scott H. Toothacre (SBN 146530)
Michael R. Weinstein (SBN 106464)
6 501 West Broadway, Suite 1450
San Diego, California 92101
7 Telephone: (619) 233-3131
stoothacre@ferrisbritton.com
8 mweinstein@ferrisbritton.com

9 Attorneys for Defendants
10 LARRY GERACI and REBECCA BERRY

11 **SUPERIOR COURT OF CALIFORNIA**
12 **COUNTY OF SAN DIEGO, HALL OF JUSTICE BRANCH**

13 AMY SHERLOCK, an individual and on behalf of
her minor children, T.S. and S.S., ANDREW
14 FLORES, an individual,

15 Plaintiffs,
16 vs.

17 GINA M. AUSTIN, an individual; AUSTIN
LEGAL GROUP, a professional corporation,
LARRY GERACI, an individual, REBECCA
18 BERRY, an individual; JESSICA MCELFFRESH,
an individual; SALAM RAZUKI, an individual;
19 NINUS MALAN, an individual; FINCH,
THORTON, AND BARID, a limited liability
20 partnership; ABHAY SCHWEITZER, an individual
and dba TECHNE; JAMES (AKA JIM) BARTELL,
21 an individual; NATALIE TRANG-MY NGUYEN,
an individual, AARON MAGAGNA, an individual;
22 BRADFORD HARCOURT, an individual;
SHAWN MILLER, an individual; LOGAN
23 STELLMACHER, an individual; EULENTIAS
DUANE ALEXANDER, an individual; STEPHEN
24 LAKE, an individual, ALLIED SPECTRUM, INC.,
a California corporation, PRODIGIOUS
25 COLLECTIVES, LLC, a limited liability company,
and DOES 1 through 50, inclusive,

26 Defendants.
27
28

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

05/17/2024 at 12:06:00 PM

Clerk of the Superior Court
By E- Filing, Deputy Clerk

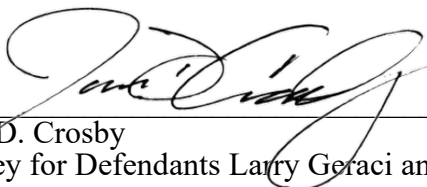
Case No. 37-2021-0050889-CU-AT-CTL

STATEMENT OF DEFENDANTS LARRY
GERACI AND REBECCA BERRY THAT NO
OPPOSITION FILED TO PLAINTIFFS'
MOTION TO VACATE BECAUSE NO RELIEF
SOUGHT AGAINST SAID DEFENDANTS.

Date: May 31, 2024
Time: 9:00 a.m.
Judge: Hon. James A. Mangione
Dept: C-75

1 Defendants Larry Geraci and Rebecca Berry will file no opposition to plaintiffs' current
2 motion to vacate judgment because no relief is sought against said defendants in the motion.
3 Plaintiff's counsel and plaintiff, *in pro per*, Andrew Flores confirmed by email on May 14, 2024 that
4 plaintiffs seek no relief from defendants Geraci and Berry by way of the pending motion. A true and
5 correct copy of Attorney Flores' May 14, 2024 email to that effect is attached hereto. The fact
6 that defendants Geraci and Berry will file no opposition to the current motion to vacate judgment is
7 not to be deemed as a non-opposition to the motion on the merits as to any defendant in the
8 action.

9
10 Date: May 17, 2024

11 
12 _____
13 James D. Crosby
14 Attorney for Defendants Larry Geraci and Rebecca Berry
15
16
17
18
19
20
21
22
23
24
25
26
27
28

From: [Andrew Flores](#)
To: [James Crosby](#)
Cc: [Michael R. Weinstein - FERRIS & BRITTON \(mweinstein@ferrisbritton.com\)](#); [Tereza Callender](#)
Subject: Re: Flores v. Austin
Date: Tuesday, May 14, 2024 9:47:31 AM

Mr. Crosby, not at the moment. This motion is solely for the Austin Anti-Slapp.

Andrew Flores

On Tue, May 14, 2024 at 9:16 AM James Crosby <crosby@crosbyattorney.com> wrote:

Mr. Flores,

I request an immediate response to my inquiries below.

James D. Crosby

Law Offices Of James D. Crosby

550 West C Street, Suite 620

San Diego, California 92101

O: (619) 450-4149

C: (858) 705-0083

crosby@crosbyattorney.com

www.crosbyattorney.com

From: James Crosby
Sent: Friday, May 10, 2024 3:56 PM
To: Afloreslaw@gmail.com
Cc: Michael R. Weinstein - FERRIS & BRITTON (mweinstein@ferrisbritton.com)
<mweinstein@ferrisbritton.com>; Tereza Callender <tcallender@crosbyattorney.com>
Subject: Flores v. Austin

Mr. Flores,

As you know, Michael Weinstein and I represent Larry Geraci and Rebecca Berry in the above referenced action. I received e-service of your newly filed motion to vacate. The notice for the motion does not identify exactly what “judgment” you are seeking to vacate and is therefore deficient. At page six of your points and authorities you request that Judge Mangione “vacate his order granting Austin’s anti-SLAPP motion”. Is that the “judgment” you seeking to vacate with your new motion? Is that the only relief you seek by way of the motion? Are you seeking any relief against my clients with the motion? I look forward to your prompt response.

James D. Crosby

Law Offices Of James D. Crosby

550 West C Street, Suite 620

San Diego, California 92101

O: (619) 450-4149

C: (858) 705-0083

crosby@crosbyattorney.com

www.crosbyattorney.com

--

Andrew Flores
Attorney at Law
427 C Street, Suite 220
San Diego CA 92101
P. (619) 356-1556
F. (619) 274-8053
AndrewFloresLaw.com
afloreslaw@gmail.com



CONFIDENTIALITY NOTICE:

This electronic mail message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please notify the sender, by electronic mail or telephone, of any unintended recipients and delete the original message without making any copies.