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9 Plaintiff Andrew Flores
10 *In Propria Persona*, and as
11 Attorney for Plaintiffs
12 Amy Sherlock, Minors T.S.
13 and S.S., Jane Doe, and Jeff Hagler

14 UNITED STATES DISTRICT COURT
15 SOUTHERN DISTRICT OF CALIFORNIA

16 ANDREW FLORES, an individual; AMY)
17 SHERLOCK, on her own behalf and on half of)
18 her minor children, T.S. and S.S.; JANE DOE,)
19 an individual; and JEFF HAGLER, an)
20 individual;)

21 Plaintiffs.)

22 vs.)

23 GINA M. AUSTIN, an individual; AUSTIN)
24 LEGAL GROUP APC, a California)
25 Corporation; JOEL R. WOHLFEIL, an)
26 individual; LAWRENCE (AKA LARRY))
27 GERACI, an individual; TAX &)
28 FINANCIAL CENTER, INC., a California)
Corporation; REBECCA BERRY, an)
individual;; JESSICA MCELFRISH, an)
individual; SALAM RAZUKI, an individual;)
NINUS MALAN, an individual;)
MICHAEL ROBERT WEINSTEIN, an)
individual; SCOTT TOOTHACRE, an)
individual; ELYSSA KULAS, an individual;)
RACHEL M. PRENDERGAST, an)

Case No.

'20CV0656 JLS LL

REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF PLAINTIFFS' EX
PARTE APPLICATION FOR:

- (1) TEMPORARY RESTRAINING ORDER;
- (2) ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION;
- (3) ORDER TO SHOW CAUSE RE: SANCTIONS AS TO ATTORNEY NATALIE NGUYEN;
- (4) ORDER COMPELLING THE APPEARANCE OF ATTORNEY NATALIE NGUYEN;
- (5) ORDER TO SHOW CAUSE RE: SANCTIONS AS TO CORINA YOUNG; AND

1 individual; FERRIS & BRITTON APC, a)
2 California Corporation; DAVID DEMIAN,))
3 an individual, ADAM C. WITT, an))
4 individual, RISHI S. BHATT, an individual,))
5 FINCH, THORTON, and BAIRD, a Limited))
6 Liability Partnership; JAMES D. CROSBY,))
7 an individual; ABHAY SCHWEITZER, an))
8 individual and dba TECHNE; JAMES (AKA))
9 JIM) BARTELL, an individual; BARTELL))
10 & ASSOCIATES, a California Corporation;))
11 MATTHEW WILLIAM SHAPIRO, an))
12 individual; MATTHEW W. SHAPIRO,))
13 APC, a California corporation; NATALIE))
14 TRANG-MY NGUYEN, an individual,))
15 AARON MAGAGNA, an individual; A-M))
16 INDUSTRIES, INC., a California))
17 Corporation; BRADFORD HARCOURT, an))
18 individual; ALAN CLAYBON, an))
19 individual; SHAWN MILLER, an individual;))
20 LOGAN STELLMACHER, an individual;))
21 EULENTHIAS DUANE ALEXANDER, an))
22 individual; BIANCA MARTINEZ; an))
23 individual; THE CITY OF SAN DIEGO, a))
24 municipality; 2018FMO, LLC, a California))
25 Limited Liability Company; FIROUZEH))
26 TIRANDAZI, an individual; STEPHEN G.))
27 CLINE, an individual; JOHN DOE, an))
28 individual; and DOES 2 through 50,))
inclusive,)

Defendants.)

JOHN EK, an individual; THE EK FAMILY))
TRUST, 1994 Trust)

Real Parties In Interest.)

(6) ORDER COMPELLING THE
APPEARANCE OF CORINA YOUNG

1 Plaintiffs hereby request that this Court take judicial notice of the documents
 2 described below and the copies thereof attached hereto in support of their Ex Parte
 3 Application for Injunctive Relief.

4 The documents listed below and attached hereto as RJN Exhibits Nos. 1–17 and
 5 19–24 are conformed copies of pleadings and other papers filed in *Cotton I* and other cases
 6 named herein which are currently pending in and/or were previously adjudicated by the
 7 San Diego County Superior Court. This Court may properly take judicial notice of these
 8 exhibits pursuant to Federal Rules of Evidence, Rule 201.

9 The documents listed as RJN Exhibit No. 18 are a true and correct copies of the
 10 Articles of Incorporation and Statement of Information for A-M Industries, Inc. filed with
 11 the California Secretary of State on November 4, 2014 and December 2, 2014,
 12 respectively. This Court may properly take judicial notice of these documents pursuant to
 13 Federal Rules of Evidence, Rule 201.
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RJN NO.	DOCUMENT TITLE/DESCRIPTION
1	Reporter’s Transcript of Proceedings [at Trial] July 3, 2019 in the case entitled <i>Geraci v. Cotton, et al.</i> , San Diego Superior Court Case No. 37-2017-10073-CU-BC-CTL (“ <i>Cotton I</i> ”)
2	Stipulation for Entry of Final Judgment and Permanent Injunction; Judgment Thereon [CCP § 664.6] filed and entered on October 27, 2014 in case entitled <i>City of San Diego v. Tree Club, et al.</i> , San Diego Superior Court Case No. 37-2014-00020897-CU-MC-CTL
3	Stipulation for Entry of Final Judgment and Permanent Injunction; Judgment Thereon [CCP § 664.6] filed and entered on June 17, 2014 in case entitled <i>City of San Diego v. CCSquared Wellness Cooperative, et al.</i> , San Diego Superior Court Case No. 37-2015-00004430-CU-MC-CTL

RJN NO.	DOCUMENT TITLE/DESCRIPTION
4	<i>Cotton I</i> Trial Exhibit 34-001– City of San Diego Department of Development Services Form DS-3032 – General Application [rev. 08-13] executed by Abhay Schweitzer on October 28, 2016 and Rebecca Berry October 30, 2016 for approval of a Medical Marijuana Consumer Cooperative Conditional Use Permit at 6176 Federal Boulevard, San Diego, CA, Project No. 520606
5	<i>Cotton I</i> Trial Exhibit 34-002 – City of San Diego Department of Development Services Form DS-190 [rev. 03-14] – Affidavit for Medical Marijuana Consumer Cooperatives for Conditional Use Permit (CUP) executed by Rebecca Berry on October 31, 2016 as the Owner of 6176 Federal Boulevard, San Diego, CA, Project No. 520606
6	<i>Cotton I</i> Trial Exhibit 34-003 – City of San Diego Department of Development Services Form DS-3242 [rev. 08-14] – Deposit Account/Financially Responsible Party re Conditional Use Permit (CUP) of 6176 Federal Boulevard, San Diego, CA, Project No. 520606 executed on October 31, 2016 by Rebecca Berry as President
7	<i>Cotton I</i> Trial Exhibit 34-004 – City of San Diego Department of Development Services Form DS-318 [rev. 05-05] – Ownership Disclosure Statement re Conditional Use Permit (CUP) executed on October 31, 2016 by Darryl Cotton as the Owner and Rebecca Berry as the Tenant/Lessee of 6176 Federal Boulevard, San Diego, CA, Project No. 520606
8	Supplemental Declaration of Gina M. Austin for September 7, 2018 Hearing filed on September 4, 2018 in the case entitled <i>Razuki v. Malan, et. al.</i> , San Diego County Superior Court Case No. 37-2018-00034229-CU-BC-CTL
9	Reporter’s Transcript of Proceedings [at Trial] July 8, 2019 in <i>Cotton I</i>
10	<i>Cotton I</i> Trial Exhibit 35 – Email from Gina Austin to Abhay Schweitzer on October 27, 2016 at 4:57 p.m.
11	Declaration of Larry Geraci in Opposition to Defendant Darryl Cotton’s Motion to Expunge Lis Pendens filed in <i>Cotton I</i> on April 10, 2018

RJN NO.	DOCUMENT TITLE/DESCRIPTION
12	Darryl Cotton's Declaration in Support of Motion for Expungement of Notice of Pendency of Action (<i>Lis Pendens</i>) filed <i>Cotton I</i> on April 4, 2018
13	Plaintiff's Complaint For: 1. Breach of Contract; 2. Breach of the Covenant of Good Faith and Fair Dealing; 3. Specific Performance; and 4. Declaratory Relief filed in <i>Cotton I</i> on March 21, 2017
14	Second Amended Cross-Complaint for: (1) Breach of Contract; (2) Intentional Misrepresentation; (3) Negligent Misrepresentation; (4) False Promise; and (5) Declaratory Relief filed in <i>Cotton I</i> on August 25, 2017
15	<i>Cotton I</i> Trial Exhibit 5 – all text messages exchanged between Darryl Cotton and defendant Larry Geraci for the period commencing July 21, 2016 at 4:31:36 p.m. through May 8, 2017 at 8:03:17 a.m.
16	Intervenor's Ex Parte Notice of Motion and Motion to Intervene With Memorandum of Points and Authorities filed in <i>Cotton I</i> on June 26, 2019
17	Plaintiff/Cross-Defendants' Memorandum of Points and Authorities in Opposition to Defendant/Cross-Complainant's Motion for New Trial filed in <i>Cotton I</i> on September 23, 2019
18	Articles of Incorporation and Statement of Information for A-M Industries, Inc.
19	Declaration of Joe Hurtado in Support of <i>Ex Parte</i> Application for Orders Appointing a Receiver to manage the Conditional Use Permit for Defendant's Real Property; and Other Relief filed in <i>Cotton I</i> on June 13, 2018
20	Deposition Subpoena of C. Young (January 1, 2019)
21	Cross-Defendant Larry Geraci's Answer to Cross Complainant [<i>sic</i>] Darryl Cotton's Unverified Second Amended Cross-Complaint filed in <i>Cotton I</i> on November 20, 2017
22	Geraci's Opposition to Motion for Summary Judgement/Partial Adjudication

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RJN NO.	DOCUMENT TITLE/DESCRIPTION
23	Memorandum of Points and Authorities in Support of Cross-Defendant Larry Geraci’s Demurrer to Second Amended Cross-Complaint by Darryl Cotton filed in <i>Cotton I</i> on September 28, 2017
24	Darryl Cotton’s Memorandum of Points and Authorities in Support of Motion to Expunge Notice of Pendency of Action (<i>Lis Pendens</i>) filed in <i>Cotton I</i> on April 4, 2018

Dated: March 29, 2020

Law Offices of Andrew Flores

By _____ /s/ Andrew Flores

Plaintiff *In Propria Persona*,
and Attorney for Plaintiffs
AMY SHERLOCK, Minors T.S.
and S.S., and JANE DOE