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Attorneys for Plaintiff/Cross-Defendant LARRY GERACI and
Cross-Defendant REBECCA BERRY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO, CENTRAL DIVISION

LARRY GERACI, an individual,
Plaintiff,

v.

DARRYL COTTON, an individual; and
DOES 1 through 10, inclusive,
Defendants.

DARRYL COTTON, an individual,
Cross-Complainant,

v.

LARRY GERACI, an individual, REBECCA
BERRY, an individual, and DOES 1
THROUGH 10, INCLUSIVE,
Cross-Defendants.

Case No. 37-2017-00010073-CU-BC-CTL

Judge: Hon. Joel R. Wohlfeil
Dept.: C-73

**PLAINTIFF/CROSS-DEFENDANT
LARRY GERACI'S ANSWERS TO FORM
INTERROGATORIES-GENERAL, SET
ONE, PROPOUNDED BY
DEFENDANT/CROSS-COMPLAINANT
DARRYL COTTON**

[IMAGED FILE]

Filed: March 21, 2017
Trial Date: Not Yet Set

PROPOUNDING PARTY: DEFENDANT/CROSS-COMPLAINANT DARRYL COTTON

RESPONDING PARTY: PLAINTIFF/CROSS-DEFENDANT LARRY GERACI

SET NO: ONE

Plaintiff/Cross-Defendant LARRY GERACI (hereinafter "Responding Party"), responds to the
first set of Form Interrogatories-General propounded by Defendant/Cross-Complainant DARRYL
COTTON, as follows:

TRIAL EX. 0d0001

**PLAINTIFF/CROSS-DEFENDANT LARRY GERACI'S ANSWERS TO FORM
INTERROGATORIES-GENERAL, SET ONE, PROPOUNDED BY DEFENDANT/CROSS-
COMPLAINANT DARRYL COTTON**

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PRELIMINARY STATEMENT

These responses are made solely for the purpose of, and in relation to, this action. Each response is given subject to all appropriate objections (including but not limited to objections concerning competency, relevancy, materiality, propriety and admissibility) which would require the exclusion of any evidence contained herein if the evidence was offered in court. All such objections and grounds therefore are reserved and may be interposed at the time of trial.

The party on whose behalf the responses are given has not yet completed its investigation of the facts relating to this action, has not yet completed its discovery in this action, and has not yet completed its preparation for trial or hearing. Consequently, the following responses are given without prejudice to the answering party's right to produce, at the time of trial or hearing, subsequently discovered evidence relating to the proof of any material facts, and to produce all evidence, whenever discovered, relating to the proof of facts subsequently discovered to be material.

Except for facts explicitly admitted herein, no admissions of any nature whatsoever are to be implied or inferred. The fact that any interrogatory herein has been answered should not be taken as an admission, or a concession of the existence, of any facts set forth or assumed by such interrogatory, or that such answer constitutes evidence of any fact thus set forth or assumed. All responses must be construed as given on the basis of present recollection.

RESPONSES TO FORM INTERROGATORIES

FORM INTERROGATORY NO. 1.1:

State the name, ADDRESS, telephone number, and relationship to you of each PERSON who prepared or assisted in the preparation of the responses to these interrogatories. *(Do not identify anyone who simply typed or reproduced the responses.)*

RESPONSE TO FORM INTERROGATORY NO. 1.1:

Michael R. Weinstein, c/o Ferris & Britton, 501 West Broadway, Suite 1450, San Diego, California, 92101, (619) 233-3131.

FORM INTERROGATORY NO. 2.1:

State:

(a) your name;

TRIAL EX. 000002

1 (b) every name you have used in the past; and

2 (c) the dates you used each name.

3 **RESPONSE TO FORM INTERROGATORY NO. 2.1:**

4 (a) Larry Geraci; Lawrence Geraci

5 (b) Lawrence Geraci and Larry Geraci

6 (c) Since birth

7
8 **FORM INTERROGATORY NO. 2.2:**

9 State the date and place of your birth.

10 **RESPONSE TO FORM INTERROGATORY NO. 2.2:**

11 October 19, 1960; Austin, TX

12
13 **FORM INTERROGATORY NO. 2.5:**

14 State:

15 (a) your present residence ADDRESS;

16 (b) your residence ADDRESSES for the past five years; and

17 (c) the dates you lived at each ADDRESS.

18 **RESPONSE TO FORM INTERROGATORY NO. 2.5:**

19 (a) Tax & Financial Center, Inc., 5402 Ruffin Road, San Diego, CA 92103

20 (in a 5th wheel at the property – 7 months per year)

21 (b) Tax & Financial Center, Inc., 5402 Ruffin Road, San Diego, CA 92103

22 (in a 5th wheel at the property – 7 months per year)

23 (c) For over 5 years

24
25 **FORM INTERROGATORY NO. 2.6:**

26 State:

27 (a) the name, ADDRESS, and telephone number of your present employer or place of self-
28 employment; and

TRIAL EX. 000003

1 (b) the name, ADDRESS, dates of employment, job title, and nature of work for each
2 employer or self-employment you have had from five years before the INCIDENT until today

3 **RESPONSE TO FORM INTERROGATORY NO. 2.6:**

4 (a) Tax & Financial Center, Inc., 5402 Ruffin Road, Suite 200, San Diego, CA 92103,
5 (858) 576-1040

6 (b) Tax & Financial Center, Inc., 5402 Ruffin Road, Suite 200, San Diego, CA 92103,
7 (858) 576-1040; Have been employed for more than 5 years; am an Enrolled Agent
8 working on tax preparation and IRS audits for clients.
9

10 **FORM INTERROGATORY NO. 2.7:**

11 State:

12 (a) the name and ADDRESS of each school or other academic or vocational institution you
13 have attended, beginning with high school;

14 (b) the dates you attended;

15 (c) the highest grade level you have completed; and

16 (d) the degrees received.

17 **RESPONSE TO FORM INTERROGATORY NO. 2.7:**

18 (a) and (b) University High School, 1976-1979; thereafter during the 1980s approx. two
19 years of junior college work at Grossmont and City College and vocational
20 training at Coleman College -certificate for computer technician in the 1980s

21 (c) High School

22 (d) High School diploma and Coleman College Certificate (Computer Training)
23

24 **FORM INTERROGATORY NO. 2.8:**

25 Have you ever been convicted of a felony? If so, for each conviction state:

26 (a) the city and state where you were convicted;

27 (b) the date of conviction;

28 (c) the offense; and

TRIAL EX. 060004

1 (d) the court and case number.

2 **RESPONSE TO FORM INTERROGATORY NO. 2.8:**

3 (a) No.

4 (b) Not applicable.

5 (c) Not applicable.

6 (d) Not applicable.

7
8 **FORM INTERROGATORY NO. 2.11:**

9 At the time of the INCIDENT were you acting as an agent or employee for any PERSON? If so,
10 state:

11 (a) the name, ADDRESS, and telephone number of that PERSON: and

12 (b) a description of your duties.

13 **RESPONSE TO FORM INTERROGATORY NO. 2.11:**

14 (a) No.

15 (b) Not applicable.

16
17 **FORM INTERROGATORY NO. 3.6:**

18 Have you done business under a fictitious name during the past 10 years? If so, for each
19 fictitious name state:

20 (a) the name;

21 (b) the dates each was used;

22 (c) the state and county of each fictitious name filing;

23 **RESPONSE TO FORM INTERROGATORY NO. 3.6:**

24 (a) Texas Street Property C&G

25 (b) 4/27/09-4/27/14

26 (c) San Diego County

27
28 (a) Delor Court GP, L&D

TRIAL EX. 000005

1 (b) 5/5/09-5/5/14

2 (c) San Diego County

3
4 (a) NL Ivy Street Properties

5 (b) 9/1/16-10/6/21

6 (c) San Diego County

7
8 **FORM INTERROGATORY NO. 3.7:**

9 Within the past five years has any public entity registered or licensed your business? If so, for
10 each license or registration:

11 (a) identify the license or registration;

12 (b) state the name of the public entity; and

13 (c) state the dates of issuance and expiration

14 **RESPONSE TO FORM INTERROGATORY NO. 3.7:**

15 Yes.

16 (a) Enrolled Agent license #68273

17 (b) Internal Revenue Service

18 (c) Issues June 1999; still valid

19
20 **FORM INTERROGATORY NO. 8.1:**

21 Do you attribute any loss of income or earning capacity to the INCIDENT?

22
23 **RESPONSE TO FORM INTERROGATORY NO. 8.1:**

24 No.

25
26 **FORM INTERROGATORY NO. 9.1:**

27 Are there any other damages that you attribute to the INCIDENT? If so, for each item of
28 damage state:

TRIAL EX. 060006

- 1 (a) the nature;
2 (b) the date it occurred;
3 (c) the amount; and
4 (d) the name, ADDRESS, and telephone number of each PERSON to whom an obligation
5 was incurred.

6 **RESPONSE TO FORM INTERROGATORY NO. 9.1:**

7 Yes.

- 8 (a) Expenses incurred to apply for and obtain approval of CUP Application
9 (b) Beginning in 2016 and ongoing
10 (c) The amount of expense incurred is ongoing and will increase over time as the CUP
11 Application is processed. Documents will be produced in response to the first document inspection
12 demand that support the type and amount of expenses incurred through the approximate date of
13 production.

- 14 (d) Obligations (expenses) were incurred to the following persons: City of San Diego;
15 Techne, Attn: Abhay Schweitzer, 3956 30th Street, San Diego, CA 92104, (619) 940-5814; Bartell &
16 Associates, Attn: Jim Bartell, 5333 Mission Center Road, #115, San Diego CA 92108, (619) 704-
17 0180; Austin Legal Group, Attn: Gina M. Austin, Esq., 3990 Old Town Ave., Ste. A-112, San Diego,
18 CA 92110, (619) 924-9600; Lundstrom Engineering and Surveying, Inc., Attn: Darryl Begley, 5333
19 Mission Center Road #115, San Diego, CA 92108; SWLA, Attn: Sam Wade, 4429 Morena Blvd., San
20 Diego, CA 92117, (858) 270-8688; Title Pro Information Systems, 13520 Scarsdale Way, San Diego,
21 CA 92128, (760) 295-3951. Discovery is ongoing in this regard and documents will be produced in
22 response to the first document inspection demand that support the type and amount of expenses
23 incurred through the approximate date of production.

24
25 **FORM INTERROGATORY NO. 9.2:**

26 Do any DOCUMENTS support the existence or amount of any item of damages claimed in
27 interrogatory 9.1? If so, describe each document and state the name, ADDRESS, and telephone
28 number of the PERSON who has each DOCUMENT.

TRIAL EX. 000007

1 **RESPONSE TO FORM INTERROGATORY NO. 9.2:**

2 Yes. Documents will be produced in response to the first document inspection demand that
3 support the type and amount of expenses incurred through the approximate date of production.
4

5 **FORM INTERROGATORY NO. 12.1:**

6 State the name, ADDRESS, and telephone number of each individual:

7 (a) who witnessed the INCIDENT or the events occurring immediately before or after the
8 INCIDENT;

9 (b) who made any statements at the scene of the INCIDENT;

10 (c) who heard any statements made about the INCIDENT by any individual at the scene;
11 and

12 (d) who YOU OR ANYONE ACTING ON YOUR BEHALF claim has knowledge of the
13 INCIDENT (except for expert witnesses covered by Code of Civil Procedure section 2034).

14 **RESPONSE TO FORM INTERROGATORY NO. 12.1:**

15 (a) Larry Geraci, Tax & Financial Center, Inc., 5402 Ruffin Road, Suite 200, San Diego,
16 CA 92103 (858) 576-1040; Rebecca Berry, Tax & Financial Center, Inc., 5402 Ruffin Road, Suite
17 200, San Diego, CA 92103 (858) 576-1040; Abhay Schweitzer, Assoc. AIA- Principal, Techne, 3956
18 30th Street, San Diego, CA 92104, (619) 940-5814; Jim Bartell, Bartell & Associates, 5333 Mission
19 Center Road, #115, San Diego CA 92108, (619) 704-0180; Gina M. Austin, Esq., Austin Legal
20 Group, 3990 Old Town Ave., Ste. A-112, San Diego, CA 92110, (619) 924-9600.

21 (b) Not applicable.

22 (c) Not applicable.

23 (d) Larry Geraci, Tax & Financial Center, Inc., 5402 Ruffin Road, Suite 200, San Diego,
24 CA 92103 (858) 576-1040; Rebecca Berry, Tax & Financial Center, Inc., 5402 Ruffin Road, Suite
25 200, San Diego, CA 92103 (858) 576-1040; Abhay Schweitzer, Assoc. AIA- Principal, Techne, 3956
26 30th Street, San Diego, CA 92104, (619) 940-5814; Jim Bartell, Bartell & Associates, 5333 Mission
27 Center Road, #115, San Diego CA 92108, (619) 704-0180; Gina M. Austin, Esq., Austin Legal
28 Group, 3990 Old Town Ave., Ste. A-112, San Diego, CA 92110, (619) 924-9600.

TRIAL EX. 000008

1
2 **FORM INTERROGATORY NO. 12.2:**

3 Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual
4 concerning the INCIDENT? If so, for each individual state:

- 5 (a) the name, ADDRESS, and telephone number of the individual interviewed;
6 (b) the date of the interview; and
7 (c) the name, ADDRESS, and telephone number of the PERSON who conducted the
8 interview.

9 **RESPONSE TO FORM INTERROGATORY NO. 12.2:**

10 No.

11
12 **FORM INTERROGATORY NO. 12.3:**

13 Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded
14 statement from any individual concerning the INCIDENT? If so, for each statement state:

- 15 (a) the name, ADDRESS, and telephone number of the individual from whom the statement
16 was obtained;
17 (b) the name, ADDRESS, and telephone number of the individual who obtained the
18 statement;
19 (c) the date the statement was obtained; and
20 (d) the name, ADDRESS, and telephone number of each PERSON who has the original
21 statement or a copy.

22 **RESPONSE TO FORM INTERROGATORY NO. 12.3:**

23 No.

24
25 **FORM INTERROGATORY NO. 12.4**

26 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any photographs, films, or
27 videotapes depicting any place, object, or individual concerning the INCIDENT or plaintiff's injuries?
28 If so, state:

TRIAL EX. 000009

- 1 (a) the number of photographs or feet of film or videotape;
2 (b) the places, objects, or persons photographed, filmed, or videotaped.
3 (c) the date the photographs, films, or videotapes were taken;
4 (d) the name, ADDRESS, and telephone number of the individual taking the photographs,
5 films, or videotapes; and
6 (e) the name, ADDRESS, and telephone number of each PERSON who has the original or a
7 copy of the photographs, films, or videotapes.

8 **RESPONSE TO FORM INTERROGATORY NO. 12.4:**

9 Yes. Discovery is continuing in this regard and any photos in addition to those identified
10 below will be produced in response to the first document inspection demand served concurrently
11 herewith.

- 12 (a) 2 photos
13 (b) Posted Notice of Application
14 (c) April 4, 2017
15 (d) Abhay Schweitzer, Assoc. AIA- Principal, Techne, 3956 30th Street, San Diego, CA
16 92104, (619) 940-5814
17 (e) Abhay Schweitzer, Assoc. AIA- Principal, Techne, 3956 30th Street, San Diego, CA
18 92104, (619) 940-5814
19

20 **FORM INTERROGATORY NO. 12.5:**

21 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any diagrams, reproduction,
22 or model of any place or thing (except for items developed by expert witnesses covered by Code of
23 Civil Procedure sections 2034.210-2034.310) concerning the INCIDENT? If so, for each item state:

- 24 (a) the type (i.e., diagram, reproduction, or model);
25 (b) the subject matter; and
26 (c) the name, ADDRESS, and telephone number of each PERSON who has it.

27 **RESPONSE TO FORM INTERROGATORY NO. 12.5:**

28 No. (The documents produced concurrently herewith include plans and drawings related to

TRIAL EX. 00010

1 the CUP Application process.)

2
3 **FORM INTERROGATORY NO. 12.6:**

4 Was a report made by any PERSON concerning the INCIDENT? If so, state:

5 (a) the name, title, identification number, and employer of the PERSON who made the
6 report;

7 (b) the date and type of report made;

8 (c) the name, ADDRESS, and telephone number of the PERSON for whom the report was
9 made; and

10 (d) the name, ADDRESS, and telephone number of each PERSON who has the original or a
11 copy of the report.

12 **RESPONSE TO FORM INTERROGATORY NO. 12.6:**

13 No.

14
15 **FORM INTERROGATORY NO. 12.7:**

16 Have YOU OR ANYONE ACTING ON YOUR BEHALF inspected the scene of the
17 INCIDENT? If so, for each inspection state:

18 (a) the name, ADDRESS, and telephone number of the individual making the inspection
19 (except for expert witnesses covered by Code of Civil Procedure sections 2034.210-2034.310); and

20 (b) the date of the inspection.

21 **RESPONSE TO FORM INTERROGATORY NO. 12.7:**

22 Yes

23 (a) Abhay Schweitzer, Assoc. AIA- Principal, Techne, 3956 30th Street, San Diego, CA
24 92104, (619) 940-5814

25 (b) April 5, 2017, the day after the posting of the Notice of Application.

26
27 **FORM INTERROGATORY NO. 13.1:**

28 Have YOU OR ANYONE ACTING ON YOUR BEHALF conducted surveillance of any

TRIAL EX. 000011

1 individual involved in the INCIDENT or any party to this action? If so, for each surveillance state:

2 (a) the name, ADDRESS, and telephone number of the individual or party;

3 (b) the time, date, and place of the surveillance;

4 (c) the name, ADDRESS, and telephone number of the individual who conducted the
5 surveillance; and

6 (d) the name, ADDRESS, and telephone number of each PERSON who has the original or
7 a copy of any surveillance photograph, film, or videotape.

8 **RESPONSE TO FORM INTERROGATORY NO. 13.1:**

9 No.

10
11 **FORM INTERROGATORY NO. 13.2:**

12 Has a written report been prepared on the surveillance? If so, for each written report state:

13 (a) the title;

14 (b) the date;

15 (c) the name, ADDRESS, and telephone number of the individual who prepared the
16 report; and

17 (d) the name, ADDRESS, and telephone number of each PERSON who has the original or
18 a copy.

19 **RESPONSE TO FORM INTERROGATORY NO. 13.2:**

20 Not applicable.

21
22 **FORM INTERROGATORY NO. 14.1:**

23 Do YOU OR ANYONE ACTING ON YOUR BEHALF contend that any PERSON involved
24 in the INCIDENT violated any statute, ordinance, or regulation and that the violation was a legal
25 (proximate) cause of the INCIDENT? If so, identify the name, ADDRESS, and telephone number of
26 each PERSON and the statute, ordinance, or regulation that was violated.

27 **RESPONSE TO FORM INTERROGATORY NO. 14.1:**

28 No.

1
2 **FORM INTERROGATORY NO. 14.2:**

3 Was any PERSON cited or charged with a violation of any statute, ordinance, or regulation as
4 a result of this INCIDENT? If so, for each PERSON state:

- 5 (a) the name, ADDRESS, and telephone number of the PERSON;
6 (b) the statute, ordinance, or regulation allegedly violated;
7 (c) whether the PERSON entered a plea in response to the citation or charge and, if
8 so, the plea entered; and
9 (d) the name and ADDRESS of the court or administrative agency, names of the parties,
10 and case number.

11 **RESPONSE TO FORM INTERROGATORY NO. 14.2:**

12 No.

13
14 **FORM INTERROGATORY NO. 50.1:**

15 For each agreement alleged in the pleadings:

- 16 (a) identify each DOCUMENT that is part of the agreement and for each state the name,
17 ADDRESS, and telephone number of each PERSON who has the DOCUMENT;
18 (b) state each part of the agreement not in writing, the name, ADDRESS, and telephone
19 number of each PERSON agreeing to that provision, and the date that part of the agreement was
20 made;
21 (c) identify all DOCUMENTS that evidence any part of the agreement not in writing and
22 for each state the name, ADDRESS, and telephone number of each PERSON who has the
23 DOCUMENT;
24 (d) identify all DOCUMENTS that are part of any modification to the agreement, and for
25 each state the name, ADDRESS, and telephone number of each PERSON who has the DOCUMENT;
26 (e) state each modification not in writing, the date, and the name, ADDRESS, and
27 telephone number of each PERSON agreeing to the modification, and the date the modification was
28 made;

TRIAL EX. 0b0013

1 (f) identify all DOCUMENTS that evidence any modification of the agreement not in
2 writing and for each state the name, ADDRESS, and telephone number of each PERSON who has the
3 DOCUMENT.

4 **RESPONSE TO FORM INTERROGATORY NO. 50.1:**

5 In responding to this Form Interrogatory, plaintiff assumes the interrogatory is referring to the
6 agreement alleged by plaintiff, Larry Geraci, in his Complaint.

7 (a) Written agreement dated November 2, 2016, attached to the plaintiff's complaint. Both
8 plaintiff and defendant have copies of the agreement.

9 (b) None.

10 (c) None.

11 (d) None.

12 (e) None.

13 (f) None.

14
15 **FORM INTERROGATORY NO. 50.2:**

16 Was there a breach of any agreement alleged in the pleadings? If so, for each breach describe
17 and give the date of every act or omission that you claim is the breach of the agreement.

18 **RESPONSE TO FORM INTERROGATORY NO. 50.2:**

19 Yes.

20 Larry Geraci and Darryl Cotton signed an enforceable written agreement dated November 2,
21 2016. Pursuant to that agreement, Mr. Cotton agreed to sell the property to Mr. Geraci on the price
22 terms stated therein and conditioned upon obtaining approval of a CUP. The written agreement also
23 prohibits Mr. Cotton from selling the property to another party. Rebecca Berry, as agent for Mr.
24 Geraci, and with Mr. Cotton's knowledge and written consent, applied for the CUP and approval of the
25 CUP has been pursued diligently ever since and at Mr. Geraci's expense.

26 Mr. Cotton has anticipatorily breached the contract by denying his contractual obligation in
27 the November 2, 2016, written agreement to convey the subject property to Mr. Geraci if and when
28 approval is obtained of a CUP.

TRIAL EX. 006014

1 It appears from Mr. Cotton's document production that he has taken steps to do sell the subject
2 property to another person and, possibly, has consummated such a sale. That would constitute a breach
3 of the express term of the written agreement prohibiting Mr. Cotton from selling the property to another
4 person.

5 Mr. Cotton has also breached the covenant of good faith and fair dealing implied in the
6 November 2, 2016 written agreement by undertaking actions to interfere with the CUP application
7 process and deny plaintiff the benefits of the agreement, including the following: Mr. Cotton has
8 submitted a separate CUP Application which has or may interfere, delay or interrupt the processing of
9 the pending CUP Application submitted by Ms. Berry in furtherance of Mr. Geraci's obligations
10 under the written agreement.

11
12 **FORM INTERROGATORY NO. 50.3:**

13 Was performance of any agreement alleged in the pleadings excused? If so, identify each
14 agreement excused and state why performance was excused.

15 **RESPONSE TO FORM INTERROGATORY NO. 50.3:**

16 No.

17
18 **FORM INTERROGATORY NO. 50.4:**

19 Was any agreement alleged in the pleadings terminated by mutual agreement, release, accord
20 and satisfaction, or novation? If so, identify each agreement terminated, the date of termination, and
21 the basis of the termination.

22 **RESPONSE TO FORM INTERROGATORY NO. 50.4:**

23 No.

24
25 **FORM INTERROGATORY NO. 50.5:**

26 Is any agreement alleged in the pleadings unenforceable? If so, identify each unenforceable
27 agreement and state why it is unenforceable.

28 ///

TRIAL EX. 000015

1 **RESPONSE TO FORM INTERROGATORY NO. 50.5:**

2 No.

3
4 **FORM INTERROGATORY NO. 50.6:**

5 Is any agreement alleged in the pleadings ambiguous? If so, identify each ambiguous
6 agreement and state why it is ambiguous.


7 **RESPONSE TO FORM INTERROGATORY NO. 50.6:**

8 No.

9
10 Dated: September 18, 2017

FERRIS & BRITTON,
A Professional Corporation

11
12
13 By:


Michael R. Weinstein
Scott H. Toothacre
Attorneys for Plaintiff/Cross-Defendant
LARRY GERACI and Cross-Defendant
REBECCA BERRY


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VERIFICATION

I, Larry Geraci, declare:

I am the Plaintiff and a Cross-Defendant in the above-captioned lawsuit. I have read the foregoing document entitled **PLAINTIFF/CROSS-DEFENDANT LARRY GERACI'S ANSWERS TO FORM INTERROGATORIES-GENERAL, SET ONE, PROPOUNDED BY DEFENDANT/CROSS-COMPLAINANT DARRYL COTTON**. The matters stated in it are true to the best of my knowledge and belief.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed this 25 day of September, 2017, at San Diego, California.


LARRY GERACI

FERRIS & BRITTON
A Professional Corporation
Michael R. Weinstein (SBN 106464)
Scott H. Toothacre (SBN 146530)
501 West Broadway, Suite 1450
San Diego, California 92101
Telephone: (619) 233-3131
Fax: (619) 232-9316
mweinstein@ferrisbritton.com
stoothacre@ferrisbritton.com

Attorneys for Plaintiff/Cross-Defendant LARRY GERACI and
Cross-Defendant REBECCA BERRY

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

LARRY GERACI, an individual,

Plaintiff,

v.

DARRYL COTTON, an individual; and
DOES 1 through 10, inclusive,

Defendants.

Case No. 37-2017-00010073-CU-BC-CTL

PROOF OF SERVICE BY MAIL

[IMAGED FILE]

DARRYL COTTON, an individual,

Cross-Complainant,

v.

LARRY GERACI, an individual, REBECCA
BERRY, an individual, and DOES 1
THROUGH 10, INCLUSIVE,

Cross-Defendants.

I, Anna K. Lizano, declare that: I am over the age of 18 years and not a party to the case; I am employed in, or am a resident of, the County of San Diego, California; and my business address is: 501 West Broadway, Suite 1450, San Diego, California 92101.

On, September 25, 2017, I served the following documents:

1. **PLAINTIFF/CROSS-DEFENDANT LARRY GERACI'S ANSWERS TO FORM INTERROGATORIES-GENERAL, SET ONE, PROPOUNDED BY DEFENDANT/CROSS-COMPLAINANT DARRYL COTTON;**

TRIAL EX. 000018

- 1 2. **PLAINTIFF/CROSS-DEFENDANT LARRY GERACI'S RESPONSES TO**
2 **REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE, PROPOUNDED**
3 **BY DEFENDANT/CROSS-COMPLAINANT DARRYL COTTON;**
4 3. **CROSS-DEFENDANT REBECCA BERRY'S ANSWERS TO FORM**
5 **INTERROGATORIES-GENERAL, SET ONE, PROPOUNDED BY**
6 **DEFENDANT/CROSS-COMPLAINANT DARRYL COTTON; and**
7 4. **CROSS-DEFENDANT REBECCA BERRY'S RESPONSES TO REQUEST FOR**
8 **PRODUCTION OF DOCUMENTS, SET ONE, PROPOUNDED BY**
9 **DEFENDANT/CROSS-COMPLAINANT DARRYL COTTON**

10 **[X] MAIL.** I placed a true copy of each document in a separate envelope addressed to each addressee,
11 respectively, and then sealed each envelope and, with postage thereon fully prepaid, I placed each for
12 deposit in the United States Postal Service, this same day, at my business address shown above,
13 following ordinary business practices:

14 **[X] EMAIL.** Based on an agreement of the parties to accept service by email, I caused the documents
15 to be sent to the person on the date above, to the following email addresses:

16 David S. Demian, Esq.
17 Adam C. Witt, Esq.
18 FINCH, THORNTON & BAIRD, LLP
19 4747 Executive Drive, Suite 700
20 San Diego, California 92121
21 ddemian@ftblaw.com
22 awitt@ftblaw.com

23 *Attorneys for Defendant and Cross-Complainant*
24 *Darryl Cotton*

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

27 Dated: September 25, 2017

FERRIS & BRITTON,
A Professional Corporation

Anna K. Lizano