

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Michael R. Weinstein FIRM NAME: FERRIS & BRITTON, APC STREET ADDRESS: 501 West Broadway, Suite 1450 CITY: San Diego TELEPHONE NO.: 619-233-3131 E-MAIL ADDRESS: mweinstein@ferrisbritton.com ATTORNEY FOR (name): LARRY GERACI and REBECCA BERRY	STATE BAR NUMBER: 106464 STATE: CA ZIP CODE: 92101 FAX NO.: 619-232-9316	<b>ELECTRONICALLY FILED</b> Superior Court of California, County of San Diego <b>08/21/2019 at 01:44:00 PM</b> Clerk of the Superior Court By E-Filing, Deputy Clerk
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO</b> STREET ADDRESS: 330 West Broadway MAILING ADDRESS: CITY AND ZIP CODE: San Diego, California 92101 BRANCH NAME: HALL OF JUSTICE		
PLAINTIFF: LARRY GERACI DEFENDANT: DARRYL COTTON		
<b>MEMORANDUM OF COSTS (SUMMARY)</b>		CASE NUMBER: 37-2017-00010073-CU-BC-CTL

The following costs are requested:	TOTALS
1. Filing and motion fees	\$ 2,340.00
2. Jury fees	\$ 844.30
3. Jury food and lodging	\$
4. Deposition costs	\$ 9,535.44
5. Service of process	\$ 325.03
6. Attachment expenses	\$
7. Surety bond premiums	\$
8. Witness fees	\$ 550.00
9. Court-ordered transcripts	\$
10. Attorney fees <i>(enter here if contractual or statutory fees are fixed without necessity of a court determination; otherwise a noticed motion is required)</i>	\$
11. Court reporter fees as established by statute	\$ 13,132.04
12. Models, enlargements, and photocopies of exhibits	\$ 3,864.45
13. Interpreter fees	\$
14. Fees for electronic filing or service	\$ 395.90
15. Fees for hosting electronic documents	\$
16. Other	\$ 2,625.00
<b>TOTAL COSTS</b>	<b>\$ 33,612.16</b>

I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

Date: August 21, 2019

MICHAEL R. WEINSTEIN

(TYPE OR PRINT NAME)

▶   
 (SIGNATURE OF DECLARANT)

(Proof of service on reverse)

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SHORT TITLE GERACI v. COTTON	CASE NUMBER: 37-2017-00010073-CU-BC-CTL
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**PROOF OF  MAILING  PERSONAL DELIVERY**


1. At the time of mailing or personal delivery, I was at least 18 years of age and **not a party** to this legal action.
2. My residence or business address is (*specify*):  
501 West Broadway, Suite 1450  
San Diego, California 92101
3. I mailed or personally delivered a copy of the *Memorandum of Costs* and Worksheet (*Summary*) as follows (*complete either a or b*):
  - a.  **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope AND
      - (a)  **deposited** the sealed envelope with the United States Postal Service with the postage fully prepaid.
      - (b)  **placed** the envelope for collection and mailing on the date and at the place shown in items below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed as follows:
      - (a) Name of person served: Jacob P. Austin, Esq.
      - (b) Address on envelope:  
Law Offices of Jacob Austin  
Post Office Box 231189, San Diego, California 92193
      - (c) Date of mailing: Aug. 21, 2019
      - (d) Place of mailing (*city and state*): San Diego, California
  - b.  **Personal delivery.** I personally delivered a copy as follows:
    - (1) Name of person served:
    - (2) Address where delivered:
    - (3) Date delivered:
    - (4) Time delivered:

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

Date: August 21, 2019

DEBRA L. BARKER

(TYPE OR PRINT NAME)

▶   
(SIGNATURE OF DECLARANT)

SHORT TITLE  
GERACI v. COTTON

CASE NUMBER:  
37-2017-00010073-CU-BC-CTL

**MEMORANDUM OF COSTS (WORKSHEET)**

**1. Filing and motion fees**

	<u>Paper filed</u>	<u>Filing fee</u>
a. Complaint		\$ 435.00
b. Demurrer (2x60)		\$ 120.00
c. Answer to Writ (2x435.00)		\$ 870.00
d. Berry Demurrer (First Paper Fee)		\$ 435.00
e. Ex Parte (5x60)		\$ 300.00
f. Motions (3x60)		\$ 180.00

g.  Information about additional filing and motion fees is contained in Attachment 1g.

TOTAL 1. \$ 2,340.00

**2. Jury fees**

	<u>Date</u>	<u>Fee &amp; mileage</u>
a.	July 3, 2019	\$ 284.16
b.	July 16, 2019	\$ 560.14
c.		
d.		

e.  Information about additional jury fees is contained in Attachment 2e.

TOTAL 2. \$ 844.30

3. Juror food: \$ \_\_\_\_\_ and lodging: \$ \_\_\_\_\_

TOTAL 3. \$ \_\_\_\_\_

**4. Deposition costs**

	<u>Name of deponent</u>	<u>Taking</u>	<u>Transcribing</u>	<u>Travel</u>	<u>Videotaping</u>	<u>Subtotals</u>
a.	Darryl Cotton	\$ _____	\$ _____	\$ _____	\$ _____	\$ 670.00
b.	Darryl Cotton	\$ _____	\$ _____	\$ _____	\$ _____	\$ 640.00
c.	Darryl Cotton	\$ _____	\$ _____	\$ _____	\$ _____	\$ 658.00
d.	Darryl Cotton	\$ _____	\$ _____	\$ _____	\$ _____	\$ 4,010.88

e.  Information about additional deposition costs is contained in Attachment 4e.

TOTAL 4. \$ 9,535.44

(Continued on reverse)

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5. Service of process

	Name of person served	Public officer	Registered process	Publication	Other (specify)
a.	Darryl Cotton	\$ _____	\$ 59.45	\$ _____	\$ _____
b.	James Bartell	\$ _____	\$ 93.70	\$ _____	\$ _____
c.	Abahy Schweitzer	\$ _____	\$ 93.70	\$ _____	\$ _____

d.  Information about additional costs for service of process is contained in Attachment 5d.

TOTAL 5. \$ 325.03

6. Attachment expenses (specify):

6. \$ \_\_\_\_\_

7. Surety bond premiums (itemize bonds and amounts):

7. \$ \_\_\_\_\_

8. a. Ordinary witness fees

	Name of witness	Daily fee	Mileage	Total
(1)	Firouzeh Tirandazi	days at _____ \$/day	_____ miles at _____ ¢/mile:	\$ 275.00
(2)	Cherlyn Cac	days at _____ \$/day	_____ miles at _____ ¢/mile:	\$ 275.00
(3)	_____	days at _____ \$/day	_____ miles at _____ ¢/mile:	\$ _____
(4)	_____	days at _____ \$/day	_____ miles at _____ ¢/mile:	\$ _____
(5)	_____	days at _____ \$/day	_____ miles at _____ ¢/mile:	\$ _____

(6)  Information about additional ordinary witness fees is contained in Attachment 8a(6).

SUBTOTAL 8a. \$ 550.00

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8. b. **Expert fees** (per Code of Civil Procedure section 998)

	Name of witness	Fee			
(1)	_____	_____	hours at \$ _____	/hr	\$ _____
(2)	_____	_____	hours at \$ _____	/hr	\$ _____
(3)	_____	_____	hours at \$ _____	/hr	\$ _____
(4)	_____	_____	hours at \$ _____	/hr	\$ _____
(5)	<input type="checkbox"/> Information about additional expert fees is contained in Attachment 8b(5).				

SUBTOTAL 8b. \$ \_\_\_\_\_

c. **Court-ordered expert fees**

	Name of witness	Fee			
(1)	_____	_____	hours at \$ _____	/hr	\$ _____
(2)	_____	_____	hours at \$ _____	/hr	\$ _____
(3)	<input type="checkbox"/> Information about additional court-ordered expert fees is contained in Attachment 8c(3).				

SUBTOTAL 8c. \$ \_\_\_\_\_

TOTAL (8a, 8b, & 8c) 8. \$ \_\_\_\_\_

9. **Court-ordered transcripts** (specify):

9. \$ \_\_\_\_\_

10. **Attorney fees** (enter here if contractual or statutory fees are fixed without necessity of a court determination; otherwise a noticed motion is required):

10. \$ \_\_\_\_\_

11. **Models, enlargements, and photocopies of exhibits** (specify):

11. \$ 3,864.45

12. **Court reporter fees** (as established by statute)

a. (Name of reporter): Aptus Court Reporting 7/3-7/16/19 Fees: \$ 13,132.04

b. (Name of reporter): \_\_\_\_\_ Fees: \$ \_\_\_\_\_

TOTAL 12. \$ 13,132.04

c.  Information about additional court-reporter fees is contained in Attachment 12c.

13. **Interpreter fees**

a. Fees of a certified or registered interpreter for the deposition of a party or witness

(Name of interpreter): \_\_\_\_\_ Fees: \$ \_\_\_\_\_

(Name of interpreter): \_\_\_\_\_ Fees: \$ \_\_\_\_\_

b. Fees for a qualified court interpreter authorized by the court for an indigent person represented by a qualified legal services project or a pro bono attorney

(Name of interpreter): \_\_\_\_\_ Fees: \$ \_\_\_\_\_

(Name of interpreter): \_\_\_\_\_ Fees: \$ \_\_\_\_\_

TOTAL 13. \$ \_\_\_\_\_

c.  Information about additional court-reporter fees is contained in Attachment 13c.

14. **Fees for electronic filing or service of documents through an electronic filing service provider** (enter here if required or ordered by the court):

14. \$ 395.90

15. **Fees for hosting electronic documents through an electronic filing service provider** (enter here if required or ordered by the court):

15. \$ \_\_\_\_\_

16. **Other** (specify): Court Ordered Sanctions on 3/28/18 of \$1125.00 and on 4/29/19 of \$1500.00

16. \$ 2,625.00

**TOTAL COSTS** \$ 33,612.16

(Additional information may be supplied on the reverse)

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1	
2	4e. DEPOSITION COSTS:
3	James Bartell                   \$ 581.55
4	Abhay Schweitzer               \$ 100.00
5	Firouzeh Tirandazi             \$ 652.60
6	Joe Hurtado                    \$ 2,222.41
7	
8	5d. SERVICE OF PROCESS:
9	Jacob Austin                    \$ 25.50
10	David Demian                   \$ 23.23
11	Darryl Cotton                   \$ 29.45
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