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**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego  
**09/03/2019** at 03:46:00 PM  
Clerk of the Superior Court  
By E- Filing, Deputy Clerk

Attorney for Defendant/Cross-Complainant  
DARRYL COTTON

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

LARRY GERACI, an individual,  
Plaintiff,  
vs.  
DARRYL COTTON, an individual; and  
DOES 1-10, Inclusive,  
Defendants.

CASE NO. 37-2017-00010073-CU-BC-CTL

**NOTICE OF INTENT TO MOVE FOR NEW  
TRIAL BY DEFENDANT/CROSS-  
COMPLAINANT DARRYL COTTON**

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DARRYL COTTON, an individual,  
Cross-Complainant,  
vs.  
LARRY GERACI, and individual, REBECCA  
BERRY, an individual; and DOES 1 through 10,  
Inclusive,  
Cross-Defendants.

**[IMAGED FILE]**

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1 **TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL:**

2 **NOTICE IS HEREBY GIVEN** that Defendant/Cross-Complainant DARRYL COTTON  
3 (“COTTON”) intends to move this Court, at a date and time to be set by the Court, to vacate and set aside  
4 the verdict of the jury rendered in favor of Plaintiff LARRY GERACI and against COTTON, and the  
5 Judgment on Jury Verdict [Proposed by Plaintiff/Cross-Defendants] entered thereon on August 19, 2019.  
6

7 The motion will be made on the following grounds pursuant to **Code of Civil Procedure § 657:**

- 8 1. That the verdict is against the law (§657(6)).

9 This motion also will be based upon Memorandum of Points and Authorities and other supporting  
10 documents to be filed and served hereafter, the pleadings and records on file in this action, and upon such  
11 other oral and documentary evidence as shall be presented at the hearing of this motion.  
12

13 DATED: September 3, 2019

LAW OFFICE OF JACOB P. AUSTIN

14  
15 By \_\_\_\_\_

16 JACOB P. AUSTIN  
17 Attorney for Defendant/Cross-Complainant  
18 DARRYL COTTON  
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