

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

10/25/2019 at 11:08:00 AM

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

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Cross-Defendant REBECCA BERRY

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

10 LARRY GERACI, an individual,

11 Plaintiff,

12 v.

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

14 Defendants.

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DARRYL COTTON, an individual,

16 Cross-Complainant,

17 v.

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

20 Cross-Defendants.
21

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

Judge: Hon. Joel R. Wohlfeil

**NOTICE OF RULING AFTER HEARING
ON MOTION BY DEFENDANT AND
CROSS-COMPLAINANT, DARRYL
COTTON, FOR NEW TRIAL**

[IMAGED FILE]

Filed: March 21, 2017

Trial Date: June 28, 2019

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23 On October 25, 2019, at 9:00 a.m., in Department C-73 of the above-titled court, the Court
24 heard the Motion by Defendant/Cross-Complainant, Darryl Cotton, for New Trial. Plaintiff/Cross-
25 Defendant, Larry Geraci, and Cross-Defendant, Rebecca Berry, were represented by attorney Michael
26 R. Weinstein and Scott H. Toothacre of the law firm Ferris & Britton, APC. Defendant/Cross-
27 Complainant, Darryl Cotton, was represented by attorney Evan P. Schube of the law firm of Tiffany &
28 Bosco, P.A.

1 **PLEASE TAKE NOTICE THAT**, having reviewed the written pleadings and evidence
2 submitted in connection with the motion and after hearing oral argument, the Court confirmed as the
3 final ruling of the Court its Tentative Ruling of October 22, 2019 (ROA #696), a copy of which is
4 attached as Exhibit A and made a part hereof.

5
6 Dated: October 25, 2019

FERRIS & BRITTON,
A Professional Corporation

7
8
9 By: 

Michael R. Weinstein

Scott H. Toothacre

10 Attorneys for Plaintiff/Cross-Defendant LARRY GERACI
11 and Cross-Defendant REBECCA BERRY
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EXHIBIT A

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
HALL OF JUSTICE
TENTATIVE RULINGS - October 22, 2019

EVENT DATE: 10/25/2019 EVENT TIME: 09:00:00 AM DEPT.: C-73
JUDICIAL OFFICER: Joel R. Wohlfeil

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

CASE TITLE: LARRY GERACI VS DARRYL COTTON [IMAGED]

CASE CATEGORY: Civil - Unlimited CASE TYPE: Breach of Contract/Warranty

EVENT TYPE: Motion Hearing (Civil)
CAUSAL DOCUMENT/DATE FILED: Motion for New Trial, 09/13/2019

The Motion (ROA # 672) of Defendant / Cross-Complainant DARRYL COTTON ("Cotton") for a new trial or a finding that the alleged November 2, 2016 agreement is illegal and void, is DENIED.

The evidentiary objections (ROA # 679) of Plaintiff / Cross-Defendant LARRY GERACI and Cross-Defendant REBECCA BERRY, are OVERRULED.

Event ID: 2150212

TENTATIVE RULINGS
Page: 1

Calendar No.: