ATTORNEY OR PARTY WITHOUT ATTORNEY	STATE BAR NUMBER: 106464	FOR COURT USE ONLY

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NAME: Michael R. Weinstein

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ATTORNEY FOR (name): LARRY GERACI and REBECCA BERRY

FOR COURT USE ONLY

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

01/02/2020 at 02:37:00 PM

Clerk of the Superior Court
By Chona De Los Santos,Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF   SAN DIEGO

STREET ADDRESS: 330 West Broadway

MAILING ADDRESS:

CITY AND ZIP CODE: San Diego, California 92101

BRANCH NAME: HALL OF JUSTICE

PLAINTIFF/PETITIONER: LARRY GERACI

DEFENDANT/RESPONDENT: DARRYL COTTON

OTHER PARENT/PARTY:

RESPONDENT'S NOTICE DESIGNATING RECORD ON APPEAL (UNLIMITED CIVIL CASE)	SUPERIOR COURT CASE NUMBER: 37-2017-00010073-CU-BC-CTL
Re: Appeal filed on (date): 11/21/19 re Denial of Motion for New Trial 10/25/19	COURT OF APPEAL CASE NUMBER (if known):

Notice: Please read *Information on Appeal Procedures for Unlimited Civil Cases* (form APP-001-INFO) before completing this form. This form must be filed in the superior court, not in the Court of Appeal.

1. RECORD OF THE DOCUMENTS FILED IN THE SUPERIOR COURT

The appellant has chosen to use a clerk's transcript under rule 8.122.

a. ☒ **Additional documents.** *(If you want any documents from the superior court proceedings in addition to the documents designated by the appellant to be included in the clerk's transcript, you must identify those documents here.)*

In addition to the documents designated by the appellant, I request that the clerk include in the transcript the following documents from the superior court proceedings. *(You must identify each document you want included by its title and provide the date it was filed or, if that is not available, the date the document was signed.)*

Document Title and Description	Date of Filing
(1) Judgment on Verdict [ROA #650]	8/19/19
(2) Proof of Service re Judgment [ROA #651]	8/19/19
(3) Notice of Entry of Judgment [ROA #652]	8/20/19
(4) Proof of Service re Notice of Entry of Judgment [ROA #653]	8/20/19
(5) Proof of Service re Opp to Motion for New Trial [ROA #680]	9/23/19
(6)	
(7)	

☐ See additional pages. *(Check here if you need more space to list additional documents. List these documents on a separate page or pages labeled "Attachment 1(a)," and start with number (8).)*

Form Approved for Optional Use Judicial Council of California APP-010 [Rev. January 1, 2019]	RESPONDENT'S NOTICE DESIGNATING RECORD ON APPEAL (Unlimited Civil Case)	Cal. Rules of Court, rules 3.50, 8.121–8.124, 8.128, 8.130, 8.134, 8.137 www.courts.ca.gov

CASE NAME: Geraci v. Cotton	SUPERIOR COURT CASE NUMBER: 37-2017-00010073-CU-BC-CTL

1. b. ☐ **Additional exhibits.** *(If you want any exhibits from the superior court proceedings in addition to those designated by the appellant to be included in the clerk's transcript, you must identify those exhibits here.)*

In addition to the exhibits designated by the appellant, I request that the clerk include in the transcript the following exhibits that were admitted in evidence, refused, or lodged in the superior court. *(For each exhibit, give the exhibit number, such as Plaintiff's #1 or Defendant's A, and a brief description of the exhibit. Indicate whether or not the court admitted the exhibit into evidence. If the superior court has returned a designated exhibit to a party, the party in possession of the exhibit must deliver it to the superior court clerk within 10 days after service of this notice designating the record. (Rule 8.122(a)(3).))*

Exhibit Number	Description	Admitted (Yes/No)
(1)		
(2)		
(3)		
(4)		

☐ See additional pages. *(Check here if you need more space to list additional exhibits. List these exhibits on a separate page or pages labeled "Attachment 1(b)," and start with number (5).)*

c. ☒ **Copy of clerk's transcript.** I request a copy of the clerk's transcript. *(Check (1) or (2).)*

(1) ☒ I will pay the superior court clerk for this transcript when I receive the clerk's estimate of the costs of this transcript. I understand that if I do not pay for this transcript, I will not receive a copy.

(2) ☐ I request that the clerk's transcript be provided to me at no cost because I cannot afford to pay this cost. I have submitted the following document with this notice designating the record *(check (a) or (b))*:

(a) ☐ An order granting a waiver of court fees and costs under rules 3.50–3.58; or

(b) ☐ An application for a waiver of court fees and costs under rules 3.50–3.58. (*Use* Request to Waive Court Fees *(form FW-001) to prepare and file this application.)*

2. **RECORD OF ORAL PROCEEDINGS IN THE SUPERIOR COURT**

The appellant has chosen to use a reporter's transcript under rule 8.130.

a. ☐ **Designation of additional proceedings.** *(If you want any oral proceedings in addition to the proceedings designated by the appellant to be included in the reporter's transcript, you must identify those proceedings here.)*

(1) In addition to the proceedings designated by the appellant, I request that the following proceedings in the superior court be included in the reporter's transcript. *(You must identify each proceeding you want included by its date, the department in which it took place, a description of the proceedings (for example, the examination of jurors, motions before trial, the taking of testimony, or the giving of jury instructions), the name of the court reporter who recorded the proceedings (if known), and whether a certified transcript of the designated proceeding was previously prepared.)*

RESPONDENT'S NOTICE DESIGNATING RECORD ON APPEAL
(Unlimited Civil Case)

CASE NAME: Geraci v. Cotton	SUPERIOR COURT CASE NUMBER: 37-2017-00010073-CU-BC-CTL

2. a. (1) *(continued)*

	Date	Department	Full/Partial Day	Description	Reporter's Name	Prev. prepared?
(a)						☐ Yes ☐ No
(b)						☐ Yes ☐ No
(c)						☐ Yes ☐ No
(d)						☐ Yes ☐ No
(e)						☐ Yes ☐ No
(f)						☐ Yes ☐ No
(g)						☐ Yes ☐ No

☐ See additional pages. *(Check here if you need more space to list additional proceedings. List these proceedings on a separate page or pages labeled "Attachment 2a(1)," and start with letter (h).)*

(2) Deposit for additional proceedings.

I have *(check a, b, c, or d)*:

(a) ☐ Deposited with the superior court clerk the approximate cost of preparing the additional proceedings by including the deposit with this notice as provided in rule 8.130(b)(1).

(b) ☐ Attached a copy of a Transcript Reimbursement Fund application filed under rule 8.130(c)(1).

(c) ☐ Attached the reporter's written waiver of a deposit under rule 8.130(b)(3)(A) for *(check either (i) or (ii))*:

(i) ☐ All of the designated proceedings.

(ii) ☐ Part of the designated proceedings.

(d) ☐ Attached a certified transcript under rule 8.130(b)(3)(C).

b. **Copy of reporter's transcript.**

(1) ☐ I request a copy of the reporter's transcript.

(2) ☒ I request that the reporters provide *(check (a), (b), or (c))* :

(a) ☒ My copy of the reporter's transcript in electronic format.

(b) ☐ My copy of the reporter's transcript in paper format.

(c) ☐ My copy of the reporter's transcript in electronic format and a second copy of the reporter's transcript in paper format.

(Code Civ. Proc., § 271.)

Date: January 2, 2020

MICHAEL R. WEINSTEIN
(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF RESPONDENT OR ATTORNEY)