



The State Bar of California

OFFICE OF CHIEF TRIAL COUNSEL

845 S Figueroa Street, Los Angeles, CA 90017

Tel: 213-765-1000

Attorney Misconduct Complaint Form

Your Contact Information			
First Name: Darryl		Middle Name: Gerard	
Last Name: Cotton			
Address: 6176 Federal Blvd			
City: San Diego	State: CA		Zip: 92114
Email: indagrodarryl@gmail.com			
Home Phone: none	Work: none	Cell: 619.954.4447	

Attorney's Information			
First Name: Jana		Middle Name: Mickova	
Last Name: Will			
Address: San Diego City Attorney's Office, 1200 3rd Ave Ste 1100			
City: San Diego	State: CA		Zip: 92101
Email: jmickovawill@sandiego.gov		CA Bar License #: 211064	
Home Phone: unknown		Work Phone: (619) 533-5800	
Cell Phone: unknown		Website: www.sandiego.gov/cityattorney	

Have you or a member of your family complained to the State Bar about this attorney previously?

☐ YES ☒ NO

Did you hire this attorney?

☐ YES ☒ NO

Enter the approximate date you hired the attorney and the amount paid (if any) to the attorney.

Date: _____ Amount Paid: _____

What is your connection to this attorney? Explain briefly.

Will represented the City of San Diego in a Demurrer hearing on or about 11/03/17 which was held in Judge Wohlfeil's courtroom. Judge Wohlfeil denied the Demurrer but after leaving the hearing, Will told my then counsel David Demian, out in hallway that we should have prevailed if Demian had just raised the talking points which were made in his moving papers.

Attorney's Information

Statement of Complaint

Include with your submission, a statement of what the attorney did or did not do that is the basis of your complaint. Please state the facts as you understand them. Do not include opinions or arguments. If you hired the attorney(s), state what you hired the attorney(s) to do. Additional information may be requested.

As it relates to this BAR complaint, Will, like Phelps the other City Attorney, knew that the 11/02/16 document was not a fully integrated contract. The confirmation email I sent Geraci later that day with the Geraci response of 'no, no problem at all' proved that there was no mutual assent. What was clear to anyone reviewing this case was the 11/02/16 document acted more like as a receipt for the \$10K deposit Geraci had given me earlier that day. Will like every other attorney who came in contact with this case had an ethical duty to the court to inform Judge Wohlfeil that the confirmation email proved mutual assent did not exist! Demian FAILED to even raise the confirmation email at the Demurrer and his response to a LIVID litigation investor (Hurtado) in the hallway after the hearing, which Wills was there to hear and comment on, as to why he did not raise this in front of Judge Wohlfeil was, as he looked down at the floor, was he 'had an off day.' Will is just as guilty as Demian for not bringing this case dispositive information to Judge Wohlfeil's attention and she did not.

Related Court Case Information (If known)

Name of Court: Superior Court

Case Name: Geraci v Cotton

Case Number: 37-2017-00010073

Approx. date case was filed: 11/21/17

Size of law firm complained about: NA

If you are not a party to this case, what is your connection with it? Explain briefly.

I am a party.

Translation Information☒ Not Applicable

The State Bar accepts complaints in over 200 languages. If you need translation services to communicate with the State Bar, please let us know by completing this section of the complaint form. We will communicate with you through a translation service in the language of your choice. Do you need translation services?

☐ YES☒ NO

Please state the language in which you need formal translation:

The State Bar's mission is to protect complainants regardless of their immigration status. Complainants who are unable to complete this form due to disability, language restrictions, or other circumstances may obtain help by calling the complaint line at 800-843-9053.

Attestation

By checking this box I certify that all information on this form is true and correct. I understand that the content of my complaint can be disclosed to the attorney. I ☒ understand that I waive the attorney client privilege and any other applicable privilege between myself and the attorney to the extent necessary for the investigation and prosecution of the allegations.

Signature: 

Date: 02/06/2020