

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
HALL OF JUSTICE
TENTATIVE RULINGS - March 22, 2018

ROA 139
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EVENT DATE: 03/23/2018 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 Preliminary Injunction, 02/27/2018

The unopposed Motion (ROA # 115) of Plaintiff / Cross-Defendant LARRY GERACI ("Plaintiff" or "Geraci") for a mandatory injunction requiring Defendant / Cross- Complainant DARRYL COTTON ("Defendant" or "Cotton") to Sign the Property Owner Consent Form Allowing Soils Testing on the Subject Property, and to Otherwise Allow SCST Engineering Unhindered Access to the Subject Property to Conduct Said Soils Testing, is GRANTED.

Defendant is required to immediately sign the property owner consent form allowing soils testing on the subject property, and to otherwise allow SCST Engineering unhindered access to the subject property to conduct soils testing. Sufficient evidence has been presented demonstrating that the County of San Diego is requiring a soils sample analysis as a condition precedent to obtaining a CUP to operate a Medical Marijuana Dispensary. Thus, injunctive relief is necessary to prevent irreparable injury and waste. Also, there is a reasonable probability that Plaintiff will prevail on the merits.