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Superior Court of California,  
County of San Diego

04/02/2018 at 10:03:10 AM

Clerk of the Superior Court  
By Katelin O'Keefe, Deputy Clerk

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

LARRY GERACI, an individual,  
Plaintiff,

v.

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

DARRYL COTTON, an individual,  
Cross-Complainant,

v.

LARRY GERACI, an individual, REBECCA  
BERRY, an individual, and DOES 1  
THROUGH 10, INCLUSIVE,  
Cross-Defendants.

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

Judge: Hon. Joel R. Wohlfeil  
Dept.: C-73

**[PROPOSED] ORDER GRANTING EX  
PARTE APPLICATION BY  
PLAINTIFF/CROSS-DEFENDANT  
LARRY GERACI AND CROSS-  
DEFENDANT REBECCA BERRY FOR  
APPOINTMENT OF COURT CLERK OR  
COURT CLERK'S DESIGNEE AS  
ELISOR**

**[IMAGED FILE]**

Hearing Date: April 3, 2018  
Hearing Time: 8:30 a.m.

Filed: March 21, 2017  
Trial Date: May 11, 2018

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

The Court hereby GRANTS Plaintiff/Cross-Defendant, LARRY GERACI's, request for an appointment of the Clerk of the Court or Clerk's Designee as an elisor on behalf of Defendant/Cross-Complainant, DARRYL COTTON, in his individual capacity as property owner, for the sole purpose of signing the Property Owner Consent form, attached hereto as Exhibit A, allowing soils testing on the

**[PROPOSED] ORDER GRANTING EX PARTE APPLICATION BY PLAINTIFF/CROSS-  
DEFENDANT LARRY GERACI AND CROSS-DEFENDANT REBECCA BERRY FOR  
APPOINTMENT OF COURT CLERK OR COURT CLERK'S DESIGNEE AS ELISOR**

1 subject property, and to otherwise allow SCST Engineering unhindered access to the subject property  
2 to conduct said soils testing, as previously ordered by this Court on March 23, 2018.

3  
4 IT IS SO ORDERED.

5  
6 Dated: \_\_\_\_\_

\_\_\_\_\_  
7 HONORABLE JOEL R. WOHLFEIL  
8 SAN DIEGO SUPERIOR COURT JUDGE  
9

# EXHIBIT A



# County of San Diego

ELISE ROTHCHILD  
DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
LAND AND WATER QUALITY DIVISION  
P.O. BOX 129261, SAN DIEGO, CA 92112-9261  
(858) 506-6688  
www.sdcdeh.org

AMY HARBERT  
ASSISTANT DIRECTOR

## PROPERTY OWNER CONSENT

Proposed locations for subsurface work:

Property Address:

Assessor's Parcel Number (APN):

6176 Federal Boulevard

5430200200

San Diego, CA 92114

I, \_\_\_\_\_, owner of the property/properties listed above, give my permission to  
SCST, Inc. (consulting company, contractor) to conduct the following work at the locations  
stated above.

Install \_\_\_\_\_ monitoring wells       Destroy \_\_\_\_\_ monitoring wells       Drill Two soil borings

I understand that Doug Skinner (registered professional) of SCST, Inc. (consulting company) and an authorized signer for Baja Exploration (drilling company) have submitted a signed application to the Department of Environmental Health in which they have agreed to complete the above-stated work according to the requirements of the current SAM Manual, all ordinances and laws of the County of San Diego and the State of California pertaining to well/boring construction and destruction. I have arranged with the Responsible Party, the person who causes to have monitoring wells/borings installed or existing wells destroyed on this property, to ensure proper closure of the monitoring wells/borings.

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: Darryl Cotton Title: Owner

Company: \_\_\_\_\_

Mailing Address: 6176 Federal Boulevard, San Diego CA 92114