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2 pages

FILED  
CIVIL BUSINESS OFFICE 11  
CENTRAL DIVISION

2018 APR 11 P 2:37

CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

APR 11 '18 PM 2:18

1 FERRIS & BRITTON  
A Professional Corporation  
2 Michael R. Weinstein (SBN 106464)  
Scott H. Toothacre (SBN 146530)  
3 501 West Broadway, Suite 1450  
San Diego, California 92101  
4 Telephone: (619) 233-3131  
Fax: (619) 232-9316  
5 mweinstein@ferrisbritton.com  
stoothacre@ferrisbritton.com  
6

7 Attorneys for Plaintiff/Cross-Defendant LARRY GERACI and  
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.  
15

16 DARRYL COTTON, an individual,  
17 Cross-Complainant,  
18 v.  
19 LARRY GERACI, an individual, REBECCA  
BERRY, an individual, and DOES 1  
20 THROUGH 10, INCLUSIVE,  
21 Cross-Defendants.  
22

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

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

**NOTICE OF RULING AFTER HEARING  
RE EX PARTE APPLICATION FOR AN  
ORDER SHORTENING TIME TO HEAR  
MOTION BY PLAINTIFF AND CROSS-  
DEFENDANT, LARRY GERACI, FOR  
MONETARY AND ESCALATING/  
TERMINATING SANCTIONS AGAINST  
DEFENDANT AND CROSS-  
COMPLAINANT DARRYL COTTON**

[IMAGED FILE]

Hearing Date: April 10, 2018  
Hearing Time: 8:30 a.m.

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

23 PLEASE TAKE NOTICE THAT, on April 10, 2018, at 8:30 a.m. in Department C-73 of the  
24 above-titled court, the Court heard plaintiff/cross-defendant's *Ex Parte* Application for an Order  
25 Shortening Time to Hear Motion by Plaintiff and Cross-Defendant, Larry Geraci, for Monetary and  
26 Escalating/Terminating Sanctions against Defendant and Cross-Complainant Darryl Cotton.  
27 Plaintiff/Cross-Defendant, Larry Geraci, was represented by attorney Michael R. Weinstein of the law  
28 firm Ferris & Britton, APC. Defendant/Cross-Complainant, Darryl Cotton, was represented by Darryl

1 Cotton, pro se. Having reviewed the written pleadings submitted in support of and in opposition to the  
2 application, and after hearing oral argument, the Court GRANTED IN PART and DENIED IN PART  
3 the motion as follows:

- 4 (1) Finding good cause, the court granted the application for an order shortening time to hear  
5 the Motion for Monetary and Escalating/Terminating Sanctions;
- 6 (2) The court denied the application to schedule the hearing on said Motion for a date/time on  
7 or before April 20, 2018, and instead set the hearing date on the Motion for Monetary and  
8 Escalating/Terminating Sanctions for April 27, 2018, at 10:45 a.m. in Department C-73:
- 9 (3) The court set the following briefing schedule: Defendant/Cross-Complainant Darryl  
10 Cotton's opposition papers, if any, must be served and filed on or before April 20, 2018, and  
11 there will be no Reply papers permitted to be filed; and
- 12 (4) On its own motion, the Court continued the Trial Readiness Conference from April 27,  
13 2018, until May 4, 2018, at 10:45 a.m., so that the parties will have the benefit of the court's  
14 rulings after hearing on the pending Motion to Expunge Lis Pendens and the pending  
15 Motion for Monetary and Escalating/Terminating Sanctions, set for April 13, 2018, and  
16 April 27, 2018, respectfully, prior to submittal of any Joint Trial Readiness Conference  
17 Statement.

18  
19 Dated: April 10, 2018

FERRIS & BRITTON,  
A Professional Corporation

20  
21  
22 By: 

Michael R. Weinstein  
Scott H. Toothacre

23 Attorneys for Plaintiff/Cross-Defendant LARRY GERACI  
24 and Cross-Defendant REBECCA BERRY  
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