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9 DARRYL COTTON

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
03/08/2019 at 07:15:00 PM
Clerk of the Superior Court
By Vanessa Bahena, Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO, CENTRAL DIVISION**

10 LARRY GERACI, an individual,
11 Plaintiff,

12 vs.

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

16
17 AND RELATED CROSS-ACTION.

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

**NOTICE OF LODGMENT IN SUPPORT OF
DEFENDANT/CROSS-COMPLAINANT
DARRYL COTTON'S MOTION FOR
SUMMARY JUDGMENT OR
ALTERNATIVELY, SUMMARY
ADJUCIATION**

Date: May 23, 2019
Time: 9:00 a.m.
Dept: C-73
Judge: The Hon. Joel R. Wohlfeil

Complaint filed: March 21, 2017
Trial Date: May 31, 2019

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1 Defendant/Cross-Complainant DARRYL COTTON (“Defendant”, or “Cotton”) respectfully
2 submits the following Notice of Lodgment in support of his Motion for Summary Judgment, or
3 alternatively, Summary Adjudication:

- 4 Exhibit 1: Real Party In Interest Larry Graci’s Verified Answer to Petition For Writ
5 of Mandate
- 6 Exhibit 2: Copy of all email communications between Cotton and Larry Geraci
- 7 Exhibit 3: Copy of all text communications between Cotton and Larry Geraci
- 8 Exhibit 4: Plaintiff Larry Geraci’s Complaint filed March 21, 2017
- 9 Exhibit 5: Cotton’s Verified Petition for Alternative Writ of Mandate
- 10 Exhibit 6: Cotton’s Cross-Complaint
- 11 Exhibit 7: Plaintiff Larry Geraci’s Answer to Cotton’s Cross-Complaint
- 12 Exhibit 8: Plaintiff Larry Geraci’s Responses to Form Interrogatories, Set One.
- 13 Exhibit 9: Email from Michael Weinstein dated June 6, 2019
- 14 Exhibit 10: Demurrer By Cross-Defendant Larry Geraci to Second Amended Cross-
15 Complaint by Darryl Cotton
- 16 Exhibit 11: Cotton’s Opposition to Larry Geraci’s Demurrer to the Second Amended
17 Cross-Complaint
- 18 Exhibit 12: Reply Memorandum of Points and Authorities in Support of Cross-
19 Defendant Larry Geraci’s Demurrer to Second Amended Cross-Complaint
20 By Darryl Cotton
- 21 Exhibit 13: Declaration of Larry Geraci in Support of Motion by Plaintiff/Cross-
22 Defendant Larry Geraci for a Preliminary Injunction or Other Order to
23 Compel Access to the Subject Property For Soil Testing
- 24 Exhibit 14: Declaration of Larry Geraci in Opposition to Defendant Darryl Cotton’s
25 Motion to Expunge Lis Pendens
- 26 Exhibit 15: Plaintiff Larry Geraci’s Response to Request for Admissions, Set One
- 27 Exhibit 16: Meet and Confer Email to Opposing Counsel dated January 9, 2019

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Exhibit 17: Response to Meet and Confer Email from Mr. Scott Toothacre dated January 9, 2019.

DATED: March 8, 2019

Respectfully submitted,
THE LAW OFFICE OF JACOB AUSTIN

By Jacob P. Austin
JACOB P. AUSTIN
Attorney for Defendant/Cross-Complainant
DARRYL COTTON