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**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego  
**04/04/2019** at 11:46:00 PM  
Clerk of the Superior Court  
By Vanessa Bahena, Deputy Clerk

Attorney for Defendant/Cross-Complainant DARRYL COTTON

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO**

LARRY GERACI, an individual,  
Plaintiff,  
vs.  
DARRYL COTTON, an individual; and  
DOES I through 10, inclusive,  
Defendants.  

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AND RELATED CROSS-ACTION.

) Case No. 37-2017-00010073-CU-BC-CTL  
) **REQUEST FOR JUDICIAL NOTICE IN**  
) **SUPPORT OF DEFENDANT/CROSS-**  
) **COMPLAINANT DARRYL COTTON'S**  
) **MOTION FOR ORDER THAT INITIAL**  
) **ANSWERS TO INTERROGATORIES BE**  
) **DEEMED BINDING**  
) Date: April 26, 2019  
) Time: 9:00 a.m.  
) Dept: C-73  
) Judge: The Hon. Joel R. Wohlfeil  
)  
) Complaint Filed: March 21, 2016  
) Trial Date: May 31, 2019

Pursuant to Evidence Code Section 450, *et seq.* and specifically, section 452(d), Plaintiff Darryl Cotton ("Plaintiff", "Cotton"), respectfully requests the court take judicial notice of the following documents previously filed with this Court:

1. Real Party In Interest Larry Geraci's Verified Answer to Petition for Writ of Mandate filed 11.30.2017, attached hereto as Exhibit 1.

- 1 2. Answer of Cross-Defendant Larry Geraci to Cotton's Complaint, filed 05.08.2017, attached  
2 hereto as Exhibit 2.
- 3 3. Plaintiff Geraci's Complaint for: Breach of Contract, Breach of the Covenant of Good faith and  
4 Fair Dealing, Specific Performance; and Declaratory Relief, filed 03.21.2017, attached hereto as  
5 Exhibit 3.
- 6 4. Answer of Cross-Defendant Larry Geraci to Cotton's Complaint, filed 11.20.2017, attached  
7 hereto as Exhibit 4.
- 8 5. Cotton's Second Amended Cross-Complaint for: Breach of Contract; Intentional  
9 Misrepresentation; Negligent Misrepresentation; False Promise; and Declaratory Relief, filed  
10 08.25.2017, attached hereto as Exhibit 5.
- 11 6. Notice of Demurrer and Demurrer by Cross-Defendant Larry Geraci to Second Amended Cross-  
12 Complaint by Darryl Cotton, filed 09.28.2017, attached hereto as Exhibit 6.
- 13 7. Opposition by Cotton to Larry Geraci's Demurrer, filed 10.23.2017 as Exhibit 7.
- 14 8. Reply Memorandum of Point and Authoiriteis in Support of Cross-Defendant Larry Geraci's  
15 Demurrer to Second Amended Cross-Complaint by Darryl Cotton, filed 10.27.2017, attached  
16 hereto as Exhibit 8.
- 17 9. Verified Petition for Writ of Mandate, dated 10.02.2017, attached hereto as Exhibit 9.
- 18 10. Declaration of Larry Geraci in Opposition to Defendant Cotton's Motion to Expunge *Lis*  
19 *Pendens*, filed 04.10.2018, attached hereto as Exhibit 10.

20  
21 DATED: April 4, 2019

THE LAW OFFICE OF JACOB AUSTIN

22  
23 By Jacob P. Austin  
JACOB P. AUSTIN  
24 Attorney for Defendant/Cross-Complainant  
DARRYL COTTON  
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