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ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: Darryl Cotton		STATE BAR NO.:	CIVIL JUSTICE OFFICE 1 APP-002 FOR COURT USE ONLY <div style="font-size: 1.2em; font-weight: bold;">2017 DEC 20 1P 3:53</div> CLERK-SUPERIOR COURT SAN DIEGO COUNTY, CA San Diego Superior Court <div style="font-size: 1.2em; font-weight: bold;">DEC 20 2017</div> By: <u>L. Romo</u> , Deputy
FIRM NAME:		STATE: CA ZIP CODE: 92114	
STREET ADDRESS: 6176 Federal Blvd.		TELEPHONE NO.: 619-266-4004	
CITY: San Diego		FAX NO.:	
E-MAIL ADDRESS: indagrodarryl@gmail.com		ATTORNEY FOR (name): In Pro Per	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego STREET ADDRESS: 330 West Broadway MAILING ADDRESS: 330 West Broadway CITY AND ZIP CODE: San Diego, 92101 BRANCH NAME: Central Division			
PLAINTIFF/PETITIONER: Larry Geraci			
DEFENDANT/RESPONDENT Darryl Cotton			
<input checked="" type="checkbox"/> AMENDED NOTICE OF APPEAL <input type="checkbox"/> CROSS-APPEAL (UNLIMITED CIVIL CASE)			CASE NUMBER: 37-2017-00010073-CU-BC-CTL

Notice: Please read *Information on Appeal Procedures for Unlimited Civil Cases* (Judicial Council form APP-001) before completing this form. This form must be filed in the superior court, not in the Court of Appeal. A copy of this form must also be served on the other party or parties to this appeal. You may use an applicable Judicial Council form (such as APP-009 or APP-009E) for the proof of service. When this document has been completed and a copy served, the original may then be filed with the court with proof of service.

1. NOTICE IS HEREBY GIVEN that (name): **Darryl Cotton**
 appeals from the following judgment or order in this case, which was entered on (date): **12/7/17**
 - ☐ Judgment after jury trial
 - ☐ Judgment after court trial
 - ☐ Default judgment
 - ☐ Judgment after an order granting a summary judgment motion
 - ☐ Judgment of dismissal under Code of Civil Procedure, §§ 581d, 583.250, 583.360, or 583.430
 - ☐ Judgment of dismissal after an order sustaining a demurrer
 - ☐ An order after judgment under Code of Civil Procedure, § 904.1(a)(2)
 - ☐ An order or judgment under Code of Civil Procedure, § 904.1(a)(3)-(13)
 - ☒ Other (describe and specify code section that authorizes this appeal):
 Temporary Restraining Order and Order to Show Cause Regarding Preliminary Injunction (SEE ATTACHED ORDER); Denial of an injunction is an appealable order under Code of Civil Procedure 923 and 904.1(a)(6).
2. For cross-appeals only:
 - a. Date notice of appeal was filed in original appeal:
 - b. Date superior court clerk mailed notice of original appeal:
 - c. Court of Appeal case number (if known):

Date: **December 20, 2017**

Darryl Cotton

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY)

**AMENDED NOTICE OF APPEAL/CROSS-APPEAL
(UNLIMITED CIVIL CASE)
(Appellate)**

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SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL

MINUTE ORDER

DATE: 12/07/2017

TIME: 08:30:00 AM

DEPT: C-73

JUDICIAL OFFICER PRESIDING: Joel R. Wohlfeil

CLERK: Juanita Cerda

REPORTER/ERM: Not Reported

BAILIFF/COURT ATTENDANT: R. Camberos

CASE NO: 37-2017-00010073-CU-BC-CTL CASE INIT.DATE: 03/21/2017

CASE TITLE: Larry Geraci vs Darryl Cotton [Imaged]

CASE CATEGORY: Civil - Unlimited CASE TYPE: Breach of Contract/Warranty

EVENT TYPE: Ex Parte

APPEARANCES

Michael R Weinstein, counsel, present for Cross - Defendant, Cross - Complainant, Plaintiff(s).
DAVID S DEMIAN, counsel, present for Defendant, Cross - Complainant(s).
Gina Austin, counsel, present for plaintiff Larry Geraci

Darryl Cotton's Ex Parte Application For Temporary Restraining Order and Order to Show Cause
Regarding Preliminary Injunction

(Case heard together with 17-37675, Cotton vs. City of San Diego)

The Court, after hearing oral argument and taking into consideration papers filed, denies the request for
Temporary Restraining Order and provides counsel with a hearing for the Preliminary Injunction.

The Preliminary Injunction Hearing (Civil) is scheduled for 01/25/2018 at 09:00AM before Judge Joel R.
Wohlfeil.

All moving, opposition and reply papers to be filed and served per code of civil procedure.

The Court directs the moving party to serve an amended notice and notice of the Court's ruling denying
application as to the TRO.

Joel R. Wohlfeil

Judge Joel R. Wohlfeil

DATE: 12/07/2017

DEPT: C-73

MINUTE ORDER

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Calendar No. 1

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO		FOR COURT USE ONLY FILED San Diego Superior Court DEC 20 2017 <u>By: L. Romo, Deputy</u>
TITLE OF CASE (Abbreviated) Geraci v. Cotton		
ATTORNEY(S) Name and Address: Phone: 619-266-4004 Darryl Cotton 6176 Federal Avenue San Diego, CA 92114 Fax: Email: indagrodarryl@gmail.com		
ATTORNEY(S) FOR: In Pro Per		CASE NUMBER 37-2017-00010073-CU-BC-CTL

PROOF OF SERVICE

I, Norah Rafiei, declare that I am over the age of 18 years and not a party to the action. I am employed in the County of San Diego, California, within which county the subject service occurred. My business address is 113 West G Street, Ste. 522, San Diego, California, 92101-7994.

On, December 20, 2017 I served the following documents:

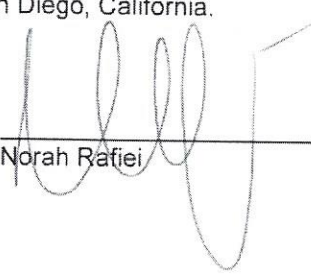
AMENDED NOTICE OF APPEAL

☒ **BY MAIL.** I placed each envelope for collection and mailing following ordinary business practices. I am readily familiar with practice for collection and processing correspondence for mailing with the United States Postal Service pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day in the ordinary course of business by placing a true copy of the foregoing document(s) in a separate, sealed envelope with postage fully prepaid, for each addressee named hereafter.

Scott H. Toothacre Michael R. Weinstein Ferris & Britton APC 501 West Broadway Ste 1450 San Diego, CA 92101	Attorneys for Plaintiffs, Cross Defendants
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☒ **STATE.** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 20, 2017, at San Diego, California.



 Norah Rafiei

PROOF OF SERVICE