

ROA 90
2018

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
01/08/2018 at 10:34:00 AM
Clerk of the Superior Court
By Katelin O'Keefe, Deputy Clerk

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
5 Fax: (619) 232-9316
mweinstein@ferrisbritton.com
6 stoothacre@ferrisbritton.com

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
14 DOES 1 through 10, inclusive,
15 Defendants.

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

Case No. 37-2017-00010073-CU-BC-CTL
Judge: Hon. Joel R. Wohlfeil
22 Dept.: C-73

**NOTICE OF LODGMENT IN SUPPORT
OF EX PARTE APPLICATION BY
PLAINTIFF AND CROSS-DEFENDANT,
LARRY GERACI, AND CROSS-
DEFENDANT, REBECCA BERRY, TO
COMPEL THE DEPOSITION OF
DARRYL COTTON AND TO CONTINUE
THE HEARING DATE FOR COTTON'S
MOTION FOR PRELIMINARY
INJUNCTION**

[IMAGED FILE]

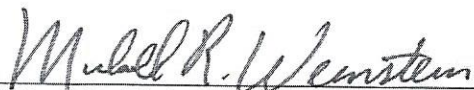
DATE: January 9, 2018
TIME: 8:30 a.m.
DEPT: C-73
Complaint Filed: March 21, 2017
23 Trial Date: May 11, 2018

1 Plaintiff and Cross-Defendant, LARRY GERACI (hereafter "Geraci"), and Cross-Defendant,
 2 REBECCA BERRY (hereafter "Berry"), hereby lodge the following documents as exhibits to this
 3 Notice of Lodgment ("NOL") in support of their Ex Parte Application to Compel the Deposition of
 4 Darryl Cotton and to Continue the Hearing Date for Cotton's Motion for Preliminary Injunction:

Ex. No.	Exhibit Description	Evidentiary Foundation
A.	Sixth Amended Notice of Deposition of Darryl Cotton	Declaration of Michael R. Weinstein, ¶ 6 at 5:19-26
B.	Seventh Amended Notice of Deposition of Darryl Cotton	Declaration of Michael R. Weinstein, ¶ 7 at 6:1-3
C.	Email from David S. Demian to Michael Weinstein dated December 8, 2017	Declaration of Michael R. Weinstein, ¶ 8 at 6:8-14
D.	Email thread containing 10 emails identified in paragraphs 9 through 17 of the Declaration of Michael R. Weinstein	Declaration of Michael R. Weinstein, ¶ 18 at 9:14-15
E.	Email from Michael Weinstein to Darryl Cotton with cc to Jacob Austin dated January 6, 2018	Declaration of Michael R. Weinstein, ¶ 24 at 10:10-16
F.	Letter from Michael Weinstein to Darryl Cotton dated January 8, 2018	Declaration of Michael R. Weinstein, ¶ 25 at 10:17-19

18
 19 Dated: January 8, 2018

FERRIS & BRITTON
 A Professional Corporation

21 By: 

22 Michael R. Weinstein
 23 Scott H. Toothacre

24 Attorneys for
 25 Plaintiff and Cross-Defendant LARRY GERACI and
 26 Cross-Defendant REBECCA BERRY