

ROA 99
3 pgs

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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
01/17/2018 at 02:35:00 PM
Clerk of the Superior Court
By Katelin O'Keefe, Deputy Clerk

IN PRO PER

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 COUNTY OF SAN DIEGO
8 CENTRAL DIVISION
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10 LARRY GERACI, an individual,) Case No.s: 37-2017-00010073-CU-BC-CTL
11) 37-2017-00037675-CU-WM-CTL
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v.)
DECLARATION OF DARRYL COTTON
IN SUPPORT OF EX PARTE
APPLICATION FOR (1) PERMISSION TO
FILE MEMORANDUM EXCEEDING 15
PAGES AND (2) TO ALLOW ONE
DOCUMENT TO BE FILED UNDER SEAL
AND EX-PARTE
Assigned to: Hon. Joel R. Wohlfeil, Dept. C-73
Date: January 18, 2017
Time: 8:30 a.m.
Dept: C-73

AND RELATED CROSS-ACTION

23 I, Darryl Cotton, declare as follows:

24 1. I am the defendant and cross-complainant representing myself Pro Per in the above-
25 entitled action.
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2. Until December 7, 2017, I was represented by counsel. I fired counsel for what I believe to be his negligent actions in representing me in this case.

3. I believe that because the court denied my application for a TRO that both actions should be stayed pursuant to CCP 923 and the *Emeryville* line of cases.

4. I am attempting to completely represent myself without counsel and I am struggling with summarizing relevant procedural history, learning about the law and applying the law to my facts with IRAQ method so that I can bring clearly bring across my position to this court.

5. Therefore, in the interests of justice, I am filing this request to be allowed to file a memorandum larger than 15 pages and my retainer/financing agreement for legal counsel ex-parte and under seal so that I may properly explain myself before this Court. I believe that without these aspects, given that I am not an attorney and only until recently have started learning about this motion, I will not be able to competently summarize the procedural aspects, the law and analysis and therefore will not be able to provide this court all of the facts.

6. In my motion, I respectfully request that the Court please, in the interest of justice, allow me to file a large brief, that although may be more verbose than a professional attorney would submit to the Court, I attest is my best-efforts made in good-faith to be as succinct as possible, but that I do need that space to bring across the totality of the circumstances to this court.

4. On January 16, 2018, in the afternoon and evening, I gave written notice via email to Mr. Weinstein and Mr. Phelps of my application for permission to file a memorandum of points and authorities in excess of the allowed limit. At about 8:40 a.m. on January 17, 2018 I also gave written notice via email to Gina Austin as well.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: 1/17/2017

/s/ Darryl Cotton

Darryl Cotton