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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

09/30/2020 at 05:01:00 PM

Clerk of the Superior Court
By E- Filing, Deputy Clerk

Attorneys for Defendant, Cross-Complainant and Cross-
Defendant NINUS MALAN; Defendants and Cross-
Complainants SAN DIEGO UNITED HOLDINGS GROUP
LLC; BALBOA AVE COOPERATIVE; CALIFORNIA
CANNABIS GROUP HOLDINGS LLC; FLIP
MANAGEMENT LLC; DEVILISH DELIGHTS, INC.;
MONARCH MANAGEMENT CONSULTING, INC.; and
Cross-Complainant AMERICAN LENDING AND HOLDING,
LLC

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

SALAM RAZUKI, an individual,

Plaintiff,

vs.

NINUS MALAN, an individual; MONARCH
MANAGEMENT CONSULTING, INC., a
California corporation; SAN DIEGO UNITED
HOLDING GROUP, LLC, a California limited
liability company; MIRA ESTE PROPERTIES,
LLC, a California limited liability company;
ROSELLE PROPERTIES, LLC, a California
limited liability company; and DOES 1-100,
inclusive,

Defendants.

AND RELATED CROSS ACTIONS.

Case No.: 37-2018-00034229-CU-BC-CTL

IMAGED FILE

**NINUS MALAN'S OBJECTIONS TO
RECEIVER MICHAEL ESSARY'S
ACCOUNTING REPORT OF
RECEIVERSHIP INCOME, EXPENSES,
AND INTERIM FEES (AUGUST 2020)**

Dept.: 67

Judge: Hon. Eddie C. Sturgeon

1 Pursuant to California Rule of Court, Rule 3.1183(b), Defendant/Cross-Complainant Ninus
2 Malan respectfully submits the following objection to the Receiver's August 2020 Report.¹

3 Mr. Malan objects that the Receiver provided a loan in the amount of \$18,000 from Balboa
4 to California Cannabis Group, which was used for Mira Este expenses. The \$18,000 loan covers
5 the following payments: 1) an August 10, 2020 payment of \$2,000 to McParlane & Associates; 2)
6 an August 24, 2020 payment of \$10,960 to TRH, Inc.; and 3) an August 28, 2020 payment of
7 \$4,560 to K&S Engineering. The Court recently denied Defendant Chris Hakim's request to
8 require the Receiver to pay Mira Este notes using funds from Balboa. *See* ROAs Nos. 1256 and
9 1277. For the same reasons, it is improper for the Receiver to use Balboa funds to pay for Mira
10 Este expenses.

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12 Dated: September 30, 2020

NOONAN LANCE BOYER & BANACH LLP

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15 By: 
16 James R. Lance
17 Ethan T. Boyer
18 Genevieve M. Ruch
19 Attorneys for Defendant, Cross-Complainant
20 and Cross-Defendant NINUS MALAN;
21 Defendants and Cross-Complainants SAN
22 DIEGO UNITED HOLDINGS GROUP LLC;
23 BALBOA AVE COOPERATIVE;
24 CALIFORNIA CANNABIS GROUP
25 HOLDINGS LLC; FLIP MANAGEMENT
26 LLC; DEVILISH DELIGHTS, INC.;
27 MONARCH MANAGEMENT CONSULTING,
28 INC.; and Cross-Complainant AMERICAN
LENDING AND HOLDING, LLC

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¹As of the date of signing this Objection, the Receiver's August 2020 Report has not yet posted on
the Court's Register of Actions. However, Defendant/Cross-Complainant Malan was served with
the Report on September 22, 2020.

1 **PROOF OF SERVICE**

2
3 *Razuki v. Malan, et al.*

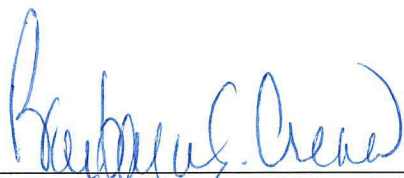
4 San Diego Superior Court Case No. 37-2018-00034229-CU-BC-CTL

5 I, the undersigned, declare: That I am, and was at the time of service of the papers herein
6 referred to, over the age of eighteen years, and not a party to the action; and I am employed in the
County of San Diego, California. My business address is 701 Island Avenue, Suite 400, San
Diego, California 92101.

7 On September 30, 2020, at San Diego, California, I served the following documents
8 described as NINUS MALAN'S OBJECTIONS TO RECEIVER MICHAEL ESSARY'S
9 ACCOUNTING REPORT OF RECEIVERSHIP INCOME, EXPENSES, AND INTERIM FEES
(AUGUST 2020) on the parties addressed to each such addressee respectively as stated on the
10 attached service list, which reflects the address last given by each such addressee on any document
filed in the action and served on this office.

- 11 ☐ **BY MAIL:** I am readily familiar with our business practice for collecting, processing and
12 mailing correspondence and pleadings with the United States Postal Service. Such
13 correspondence and pleadings are deposited with the United States Postal Service on the
same day that they are placed for mailing in the ordinary course of business. I sealed each
14 envelope and, with the postage thereon fully prepaid, placed it for mailing in accord with
our business' practice. (C.C.P. § 1013(a) and (b))
- 15 ☐ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on an agreement or
16 stipulation between all parties, I caused the document(s) to be sent from e-mail address
bcrena@noonanlance.com to the persons at the e-mail addresses listed in the Service List. I
did not receive, within a reasonable time after the transmission, any electronic message or
other indication that the transmission was unsuccessful.
- 17 ☐ **BY FEDERAL EXPRESS:** I am readily familiar with our business practice for collecting,
18 processing, and mailing correspondence and pleadings with our overnight express service
carrier Federal Express. Such correspondence and pleadings are deposited in a box or other
19 facility regularly maintained by Federal Express or delivered to a courier or driver authorized
by Federal Express to receive documents, in an envelope or package designated by Federal
Express which indicates that overnight delivery is demanded with delivery fees paid or
20 provided for, and addressed to the person(s) served hereunder. (C.C.P. § 1013(c))
- 21 ☒ **VIA ELECTRONIC FILING:** I caused such document to be uploaded and served through
22 the OneLegal system on September 30, 2020. A receipt and proof of electronic service will
be issued by OneLegal. A copy of the One Legal/Caselink transaction receipt will be
maintained with the original document in our office.

23 Executed on September 30, 2020 at San Diego, California. I declare under penalty of
24 perjury under the laws of the State of California that the above is true and correct.

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26 
27 _____
Barbara E. Crena

SERVICE LIST

Razuki v. Malan, et al.

San Diego Superior Court Case No. 37-2018-00034229-CU-BC-CTL

<p>Steven A. Elia, Esq. Maura Griffin, Of Counsel ELIA LAW FIRM, APC 2221 Camino del Rio South, Suite 207 San Diego, California 92108 Telephone: (619) 444-2244 Facsimile: (619) 440-2233 Email: steve@elialaw.com maura@elialaw.com</p>	<p><i>Attorneys for Plaintiff SALAM RAZUKI and Cross-Defendants RAZUKI INVESTMENTS, LLC, SH WESTPOINT INVESTMENTS GROUP, LLC, EL CAJON INVESTMENTS GROUP, LLC, SAN DIEGO PRIVATE INVESTMENTS, LLC, STONECREST PLAZA, LLC, LEMON GROVE PLAZA, LP, and MELROSE PLACE, INC.</i></p>
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Matthew B. Dart, Esq. DART LAW 12526 High Bluff Drive San Diego, CA 92130 Tel.: (858) 792-3616 Email: matt@dartlawfirm.com	<i>Attorney for Defendants FAR WEST MANAGEMENT LLC, MATTHEW FREEMAN, ALEXIS BRIDGEWATER, ADAM KNOPF, HEIDI RISING</i>
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