

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL**

MINUTE ORDER

DATE: 05/26/2021

TIME: 08:30:00 AM

DEPT: C-67

JUDICIAL OFFICER PRESIDING: Eddie C Sturgeon

CLERK: Meaghan Abosamra

REPORTER/ERM: Darla Kmety CSR# 12956, Stephanie Bryant CSR# 13160

BAILIFF/COURT ATTENDANT:

CASE NO: **37-2018-00034229-CU-BC-CTL** CASE INIT.DATE: 07/10/2018

CASE TITLE: **Razuki vs Malan [IMAGED]**

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

EVENT TYPE: Ex Parte

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APPEARANCES

Garrett F Groom, counsel, present for Defendant, Respondent on Appeal, Cross - Defendant, Plaintiff, Appellant(s) via remote audio conference.

Steven A Elia, counsel, present for Respondent on Appeal, Defendant, Cross - Defendant, Plaintiff, Appellant(s) via remote video conference.

Maura Griffin, counsel, present for Respondent on Appeal, Defendant, Cross - Defendant, Plaintiff, Appellant(s) via remote video conference.

Daniel Watts, counsel, present for Defendant, Respondent on Appeal, Intervenor, Cross - Complainant, Appellant(s) via remote audio conference.

James R Lance, counsel, present for Defendant, Respondent on Appeal, Cross - Defendant, Cross - Complainant, Appellant(s) via remote video conference.

Charles F Gorla, counsel, present for Defendant, Cross - Complainant, Appellant(s) via remote audio conference.

Genevieve M. Ruch, counsel, present for Defendant, Respondent on Appeal, Cross - Complainant, Appellant(s) via remote audio conference.

PAUL A BECK, counsel, present for Respondent on Appeal, Cross - Defendant, Intervenor, Interested Party, Plaintiff(s) via remote video conference.

Douglas Jaffe, counsel, present for Respondent on Appeal, Cross - Defendant, Appellant(s) via remote audio conference.

Michael Essary, Receiver, present via remote audio conference.

Freddy Garmo and Micah Bailey - Counsel for CBDCA is present via remote video appearance

Matthew Dart - Counsel for Far West Management is present via remote audio appearance
Allan Claybon - Counsel for Non-Party San Diego Patients, is present via remote audio appearance.
Neil Sheaffer - For receiver Michael Essary, is present via remote audio appearance
David K. Demergian - for interested party Prodigious Collectives, is present via remote video appearance.

The Court hears from all parties as to the outstanding issue of the sale of Balboa and rules as follows:

The Court orders Prodigious Collectives to place \$1.2 million dollars into escrow by 4:00 p.m on 5/27/2021.

The contract will not proceed if the funds are not received by escrow.

The Court also orders that if escrow does not close by 5:00 p.m on 6/01/2021 the deal is canceled.

The \$1.2 million from Prodigious Collectives is refundable to the trust account if the deal falls through.

The Court orders the receiver to prepare an order.

The Court also orders that if the deal does close, the receiver has the authority to make the approximately \$4200.00 payment to the home owners association.