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SUPERIOR COURT OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

SALAM RAZUKI, an individual,

Plaintiff,

v.

NINUS MALAN, an individual; CHRIS HAKIM, an individual; MONARCH MANAGEMENT CONSULTING, INC. a California corporation; SAN DIEGO UNITED HOLDING GROUP, LLC, a California limited liability company; FLIP MANAGEMENT, LLC, a California limited liability company; MIRA ESTE PROPERTIES, LLC, a California limited liability company; ROSELLE PROPERTIES, LLC, , a California limited liability company; BALBOA AVE COOPERATIVE, a California nonprofit mutual benefit corporation; CALIFORNIA CANNABIS GROUP, a California nonprofit mutual benefit corporation; DEVILISH DELIGHTS, INC., a California nonprofit mutual benefit corporation; and DOES 1-100, inclusive,

Defendants.

CASE NO.: 37-2018-00034229-CU-BC-CTL

~~PROPOSED~~ ORDER

Judge: Hon. Eddie C. Sturgeon

Dept: C-67

Date: March 15, 2019

Time: 2:00 p.m.

This matter came on for hearing on March 15, 2018 at 8:30 a.m. in Department C-67, the Honorable Judge Eddie C. Sturgeon, presiding, on the *ex parte* application of Receiver Michael Essary. Upon reviewing the papers and records filed in this matter and taking into account argument

1 by counsel at the hearing, and good cause appearing,

2 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

3 1. Court-Appointed Receiver Michael Essary (“Receiver”) is authorized to place a new
4 operations management company at the Balboa Ave Dispensary. Further, the Receiver is authorized
5 to negotiate a receivership certificate funding plan. The new operations management company and
6 receivership certificate funding plan are subject to the following:

- 7 a. The deadline for operator/funding proposals to be submitted to the Receiver for
8 consideration is March 22, 2019 by 3:30 p.m.;
- 9 b. Receiver shall solicit, review and conduct due diligence on all received proposals
10 and then select its recommended operator, which is to be incorporated into a
11 Receiver’s Report to be filed and served no later than March 29, 2019;
- 12 c. All parties may file responses to the Receiver’s Report;
- 13 d. A hearing shall take place on April 5, 2019 at 1:30 p.m. to consider final Court
14 approval of the new operations management company and receivership certificate
15 funding plan.

16 2. Plaintiff Razuki shall immediately take all necessary steps to reinstate the delinquent
17 mortgage loan secured against the Balboa Ave Dispensary (8861 Balboa Ave., Suite B & 8863
18 Balboa Ave., Suite E, San Diego, California). Plaintiff Razuki shall confirm in writing with the
19 Receiver to report full reinstatement of the mortgage loan.

20 3. Defendant Malan shall immediately take all necessary steps to reinstate the
21 delinquent mortgage loan secured against the five Balboa Ave rental units (8859 Balboa Ave., Suites
22 A, B, C, D, E, San Diego, California). Defendant Malan shall confirm in writing with the Receiver
23 to report full reinstatement of the mortgage loan.

24 4. Receiver is authorized to solicit, review and conduct due diligence on offers to
25 purchase the Balboa Ave Dispensary, subject to the following:

- 26 a. The deadline for sale offers to be submitted to the Receiver for consideration is
27 May 15, 2019 by 3:30 p.m.;


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- b. Receiver shall solicit, review and conduct due diligence on all received sale offers and then select its recommended sale proposal, which is to be incorporated into a Receiver’s Report to be filed and served no later than May 21, 2019;
- c. All parties may file responses to the Receiver’s Report;
- d. A hearing shall take place on May 31, 2019 at 1:30 p.m. to consider final Court approval of the sale of the Balboa Ave Dispensary.

IT IS SO ORDERED.

Dated: _____ 4/3 _____, 2019



Judge of the Superior Court
Judge Eddie C Sturgeon