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7 Attorney For  
8 **Court-Appointed Receiver Michael Essary**

**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego  
**03/29/2019 at 04:47:00 PM**  
Clerk of the Superior Court  
By Melissa Reyes, Deputy Clerk

9 SUPERIOR COURT OF CALIFORNIA  
10 FOR THE COUNTY OF SAN DIEGO

11 SALAM RAZUKI, an individual,  
12 Plaintiff,

13 v.

14 NINUS MALAN, an individual; CHRIS  
15 HAKIM, an individual; MONARCH  
16 MANAGEMENT CONSULTING, INC. a  
17 California corporation; SAN DIEGO UNITED  
18 HOLDING GROUP, LLC, a California limited  
19 liability company; FLIP MANAGEMENT,  
20 LLC, a California limited liability company;  
21 MIRA ESTE PROPERTIES, LLC, a California  
22 limited liability company; ROSELLE  
23 PROPERTIES, LLC, , a California limited  
24 liability company; BALBOA AVE  
25 COOPERATIVE, a California nonprofit mutual  
26 benefit corporation; CALIFORNIA CANNABIS  
27 GROUP, a California nonprofit mutual benefit  
28 corporation; DEVILISH DELIGHTS, INC., a  
California nonprofit mutual benefit corporation;  
and DOES 1-100, inclusive,

Defendants.

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

**DECLARATION OF RICHARDSON  
GRISWOLD IN SUPPORT OF  
RECEIVER'S REPORT AND  
RECOMMENDATION**

Judge: Hon. Eddie C. Sturgeon  
Dept: C-67  
Date: April 5, 2019  
Time: 1:30 p.m.

**DECLARATION OF RICHARDSON GRISWOLD**

I, RICHARDSON GRISWOLD, hereby declare as follows:

1. I am an attorney at law duly licensed to practice before all courts of the State of California and am the principal of GRISWOLD LAW, APC, counsel for the Court-Appointed

1 Receiver, MICHAEL ESSARY (“Receiver”) in the within matter. If called and sworn as a witness,  
2 I could and would give competent testimony as to the facts contained herein, as I know them to be  
3 true and correct and declare them of my own personal knowledge, except for those facts declared  
4 upon information and belief.

5 2. I make this Declaration in support of the Receiver’s Report and Recommendation,  
6 set to be heard on April 5, 2019 at 1:30 p.m.

7 3. On March 16, 2019, I alerted all seven potential operators that had previously  
8 submitted proposals of the guidelines and deadlines for submitting a final operator proposal.  
9 Specifically, I explained to the potential operators that “sale option” provisions would not be  
10 considered at this time. Proposals were required to focus only on operation of the dispensary and a  
11 funding plan for the dispensary. The submission deadline was set for March 22, 2019 by 3:30 p.m.  
12 A true and correct copy of my March 16, 2019 email to all potential operators is attached hereto as  
13 **Exhibit A.**

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

16 Executed this 29<sup>th</sup> day of March 2019 at Solana Beach, California.

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18 \_\_\_\_\_  
Richardson Griswold, Esq.

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# Exhibit A



Richardson Griswold &lt;rgriswold@griswoldlawca.com&gt;

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## Balboa Ave Dispensary: Operator Proposals - Submission Deadline

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Richardson Griswold &lt;rgriswold@griswoldlawca.com&gt;

Sat, Mar 16, 2019 at 6:50 AM

To: Mike &lt;Calsur@aol.com&gt;, Jamie Eberhardt &lt;jeberhardt@griswoldlawca.com&gt;

Bcc: Pierre Rouleau &lt;pierre@mjic.com&gt;, Dmitry Gordeychev &lt;dmitry@mjic.com&gt;, "Salvatore J. Zimmitti"

&lt;szimmitti@nelsonhardiman.com&gt;, kevin hana &lt;kevinhana@msn.com&gt;, David Farida

&lt;davidfarida619@gmail.com&gt;, Bret Peace &lt;bret@peaceshea.com&gt;, Cody Sadler &lt;cmsadler11@yahoo.com&gt;,

Lance Washington &lt;lw@marvistapartners.com&gt;

You are receiving this email because you have previously submitted an operator proposal for the operation of the Balboa Ave Dispensary. As many of you know, there was a court hearing yesterday (Friday, March 15th) to address the re-opening and operation of the dispensary. At the hearing, the Court set out certain parameters and timelines to guide the Receiver in the selection process of an operator for the dispensary. **Specifically, at this time, the Receiver will not consider any operator proposals that include sale or sale option provisions.** The operator proposals should focus on straight management/operation of the dispensary, as well as funding terms to provide initial operational/receivership funding.

At this time, we are requesting all operators submit their best/final operator proposal **no later than 3:30 p.m. on Friday, March 22nd**. Proposals submitted after this deadline will not be reviewed or considered.

The Receiver is required by the Court to then file a Report with the Court by March 29th. A Court hearing will then be held at 1:30 p.m. on Friday, April 5th and the Court will confirm the selection of the operator.

### Potential for Sale in the Future

As stated above, the Court is focused on reviewing/confirming a straight operator at the dispensary first, without any consideration of a sale. However, the Court did create a structure/timeline for how the Receiver is to consider sale offers. Again, this is separate from operation/management.

All final/best sale offers must be received **no later than 3:30 p.m. on May 15th**. Sale offers submitted after this deadline will not be reviewed or considered.

The Receiver is required by the Court to then file a Report with the Court by May 21st. A Court hearing will then be held at 1:30 p.m. on Friday, May 31st and the Court will plan to confirm a sale plan.

Should you have any questions, please contact me.

Thanks,  
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