

SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN DIEGO  
CENTRAL

**MINUTE ORDER**

DATE: 07/31/2018

TIME: 09:00:00 AM

DEPT: C-75

JUDICIAL OFFICER PRESIDING: Richard E. L. Strauss

CLERK: Blanca Delgado

REPORTER/ERM: Paula Rahn CSR# 11510

BAILIFF/COURT ATTENDANT: Paul Darvin

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

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**EVENT TYPE:** Ex Parte

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**APPEARANCES**

Steven A Elia, counsel, present for Plaintiff(s).

James Joseph, counsel, present for Plaintiff(s).

Gina M Austin, counsel, present for Defendant(s).

Daniel Watts, specially appearing for Ninus Malan, Defendant.

Tamara M. Leetham, specially appearing for Monarch Management Consulting Inc, Defendant.

Tamara M. Leetham, specially appearing for Mira Este Properties LLC, Defendant.

Tamara M. Leetham, specially appearing for Roselle Properties LLC, Defendant.

Richardson Griswold, counsel, specially appearing for Receiver.

Michael Essary, Receiver, present.

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Salvatore J. Zimmitti, counsel, specially appearing for Zachary E. Rothenberg, present for Plaintiff

Miles D. Grant, counsel, present for Plaintiff(s)

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**THIS BEING THE TIME SET FOR HEARING ON 1.A. DEFENDANT'S EX PARTE APPLICATION TO VACATE RECEIVERSHIP ORDER; 1.B. EX PARTE APPLICATION OF MICHAEL ESSARY, IN HIS CAPACITY AS COURT APPOINTED RECEIVER, FOR ORDER AUTHORIZING RECEIVER TO EMPLOY COUNSEL; 2. PLAINTIFF SALAM RAZUKI'S EX PARTE APPLICATION FOR AN ORDER RESETTING OSC RE CONFIRMATION OF APPOINTMENT OF RECEIVER AND PRELIMINARY INJUNCTION AND ORDER TO RUSH FILE PLAINTIFF'S FAC,**

The Court, having read the moving papers filed, now hears argument from counsel.

Following lengthy discussions, as more fully set forth in the court reporter's notes, the Court GRANTS the request to vacate the receivership order (Re: 1.A.).

Counsel to prepare a proposed order for the Court's review and approval.

The Court GRANTS Michael Essary's ex parte request authorizing Receiver to employ counsel; counsel is entitled to be compensated for his services.(Re: 1.B.).

As to all other matters; the Court instructs counsel to proceed via a noticed motion for remedies being sought.



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Judge Richard E. L. Strauss