

PLAINTIFF/PETITIONER: Amy Sherlock, et al DEFENDANT/RESPONDENT: Gina Austin, et al.	CASE NUMBER: 37-2021-0050889-CU-AT-CTL
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4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*

Plaintiff's assert claims against the Defendants for conspiracy to monopolize the legal marijuana industry in the county of San Diego. The means of such involve the use of proxies to acquire interest in dispensaries which they were not legally able to obtain, defendants knew or should have known of illegality. Damages to be proven.

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**

The party or parties request a jury trial a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**

- a. The trial has been set for *(date)*:
- b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:
- c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:

7. **Estimated length of trial**

The party or parties estimate that the trial will take *(check one)*:

- a. days *(specify number)*: 6-7
- b. hours (short causes) *(specify)*:

8. **Trial representation** *(to be answered for each party)*

The party or parties will be represented at trial by the attorney or party listed in the caption by the following:

- a. Attorney:
- b. Firm:
- c. Address:
- d. Telephone number:
- e. E-mail address:
- f. Fax number:
- g. Party represented:

Additional representation is described in Attachment 8.

9. **Preference**

This case is entitled to preference *(specify code section)*:

10. **Alternative dispute resolution (ADR)**

a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.

(1) For parties represented by counsel: Counsel has has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.

(2) For self-represented parties: Party has has not reviewed the ADR information package identified in rule 3.221.

b. **Referral to judicial arbitration or civil action mediation** (if available).

(1) This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.

(2) Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

(3) This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption)*:

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10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete mediation by (<i>date</i>): <input type="checkbox"/> Mediation completed on (<i>date</i>):
(2) Settlement conference	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete settlement conference by (<i>date</i>): <input type="checkbox"/> Settlement conference completed on (<i>date</i>):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete neutral evaluation by (<i>date</i>): <input type="checkbox"/> Neutral evaluation completed on (<i>date</i>):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete judicial arbitration by (<i>date</i>): <input type="checkbox"/> Judicial arbitration completed on (<i>date</i>):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete private arbitration by (<i>date</i>): <input type="checkbox"/> Private arbitration completed on (<i>date</i>):
(6) Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete ADR session by (<i>date</i>): <input type="checkbox"/> ADR completed on (<i>date</i>):

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11. Insurance

- a. Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (*explain*):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

- Bankruptcy Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
 - (1) Name of case:
 - (2) Name of court:
 - (3) Case number:
 - (4) Status:
- Additional cases are described in Attachment 13a.
- b. A motion to consolidate coordinate will be filed by (*name party*):

14. Bifurcation

- The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

- The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):
Plaintiff asks the court for permission to serve Defendant Harcourt by mail. See attachment 13a

16. Discovery

- a. The party or parties have completed all discovery.
- b. The following discovery will be completed by the date specified (*describe all anticipated discovery*):

<u>Party</u>	<u>Description</u>	<u>Date</u>
Plaintiffs	Written Discovery	10/30/2022
Plaintiffs	Depositions	11/30/2022
Plaintiffs	Experts	01/01/2023

- c. The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

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17. Economic litigation

- a. This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

18. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify):
See Attachment 13a

19. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):


20. Total number of pages attached (if any): 2

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: 6/9/2022

Andrew Flores

(TYPE OR PRINT NAME)

▶ 

(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached.

Attachment 13a

3. Service-

Counsel has had difficulty locating serving the defendants, however several have already been served, proof of service has to each been filed in conjunction with this statement. Counsel believes that the remaining defendants can be served within 30 days. It is the intention of the Plaintiff to dismiss any party not served within 30 days.

15. Other Motions-

Service By Mail for Defendant Harcourt

With Respect to Defendant Bradford Harcourt. Attempts have been made to serve him at his residence. During one attempt the process server was told he was not home, ***See Non Service Report Re Harcourt.*** Counsel asks the court for permission to serve Mr. Harcourt with the initiating documents via mail at his known residence.

Continuance of CMC

Counsel is seeking a continuance of the CMC for 120 days to finish service and conduct meaningful discovery.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Andrew Flores, 272958 Law Office of Andrew Flores 945 4th St, Suite 412, San Diego, CA 92101		TELEPHONE NO.: (619)356-1556	FOR COURT USE ONLY	
ATTORNEY FOR (Name): Plaintiff		Ref. No. or File No.		
Insert name of court, judicial district or branch court, if any: Superior Court of California, San Diego County 330 W. Broadway San Diego, CA 92101-3409				
PLAINTIFF: Amy Sherlock, et al.				
DEFENDANT: Gina M. Austin, et al.				
NON SERVICE REPORT		DATE:	TIME:	DEPT/DIV:
				CASE NUMBER: 37-2021-00050889-CU-AT-CTL

I am and was on the dates herein mentioned a citizen of the United States, over 18 years of age and not a party to this action, and I received copies of the following:

Summons, Civil Case Cover Sheet, Notice of Case Assignment, Complaint, Alternative Dispute Resolution Package, Notice-To Litigants

After due search, careful inquiry and diligent attempts at the following address(es), I have been unable to effect service of said process on:
BRADFORD HARCOURT, an individual

(1)Home: 778 Cold Spring Rd, , Montecito, CA 93108

Process is being returned without service for the following reason(s):

- On 5/23/2022 12:40:00 PM at address (1) above. No Answer Gated property. No response at the speaker.
- On 5/25/2022 12:51:00 PM at address (1) above. Not In I spoke to a hispanic male through speaker and was told that Mr. Harcourt is not home.
- On 5/27/2022 3:51:00 PM at address (1) above. No Answer Gated. No response on speaker.
- On 5/28/2022 5:58:00 PM at address (1) above. No Answer
- On 5/30/2022 8:05:00 PM at address (1) above. No Answer Gated. No response on speaker.
- On 6/1/2022 9:24:00 AM at address (1) above. Gated

Fee for Service: \$ 65.00
Registered California process server.
County: Ventura
Registration No.: 612

Randolph Wright
One Legal - P-000618-Sonoma
1400 North McDowell Blvd, Ste 300
Petaluma, CA 94954

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 06/06/2022 at Petaluma, California.

RW

Randolph Wright

1 **ANDREW FLORES**
2 **California State Bar Number 272958**
3 **Law Office of Andrew Flores**
4 **945 4th Avenue, Suite 412**
5 **San Diego, CA 92101**
6 **Telephone: 619.256.1556**
7 **Facsimile: 619.274.8253**
8 **Andrew@FloresLegal.Pro**

9 *Plaintiff In Propria Persona*
10 and Attorney for Plaintiffs
11 Amy Sherlock, Minors T.S.
12 and S.S., and Jane Doe

13 **SUPERIOR COURT OF CALIFORNIA**
14 **COUNTY OF SAN DIEGO, CENTRAL DIVISION**

15 **AMY SHERLOCK, ET. AL.,**

16 Plaintiff,

17 v.

18 **GINA AUSTIN, ET. AL.,**

19 Defendant.

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PROOF OF SERVICE

Hearing Date: June 10, 2022

Hearing Time: 10:30 am

Judge: Hon. James A. Mangione

Courtroom: C-75

20 On June 9, 2022 , I served the documents described as: PLAINTIFF'S CASE MANAGEMENT
21 STATEMENT on all interested parties in this action as follows:

22 Doug Pettit Attorney for Defendants Gina Austin and Austin Legal Group

23 Email: dpettit@pettitkohn.com


24 Andrew E. Hall Attorney for Defendant Stephen Lake

25 Email: andrew@blakelawca.com

26 **BY ELECTRONIC SERVICE** – I submitted an electronic version of the document(s) by
27 e-mail notification at the email address(s) indicated above via online filing service OneLegal. I did not
28 receive, within a reasonable time after the transmission, any electronic message or other indication that
the transmission was unsuccessful.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct. Executed at San Diego, California, on June 9, 2022.

3
4 DATED: June 9, 2022

5 
6 _____
7 Andrew Flores, In Pro Per
8 Attorney for Plaintiff Amy Sherlock