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9 Attorneys for Defendants
10 LARRY GERACI and REBECCA BERRY

11 **SUPERIOR COURT OF CALIFORNIA**
12 **COUNTY OF SAN DIEGO, HALL OF JUSTICE**

13 AMY SHERLOCK, an individual and on behalf of
her minor children, T.S. and S.S., ANDREW
14 FLORES, an individual,

15 Plaintiffs,

16 vs.

17 GINA M. AUSTIN, an individual; AUSTIN LEGAL
GROUP, a professional corporation, LARRY
18 GERACI, an individual, REBECCA BERRY, an
individual; JESSICA MCELFFRESH, an individual;
19 SALAM RAZUKI, an individual; NINUS MALAN,
an individual; FINCH, THORTON, AND BARID, a
20 limited liability partnership; ABHAY
SCHWEITZER, an individual and dba TECHNE;
21 JAMES (AKA JIM) BARTELL, an individual;
NATALIE TRANG-MY NGUYEN, an individual,
22 AARON MAGAGNA, an individual; BRADFORD
HARCOURT, an individual; SHAWN MILLER, an
23 individual; LOGAN STELLMACHER, an individual;
EULENTIAS DUANE ALEXANDER, an
24 individual; STEPHEN LAKE, an individual,
ALLIED SPECTRUM, INC., a California
25 corporation, PRODIGIOUS COLLECTIVES, LLC, a
limited liability company, and DOES 1 through 50,
26 inclusive,

27 Defendants.
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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
07/22/2022 at 01:35:00 PM
Clerk of the Superior Court
By Regina Chanez, Deputy Clerk

Case No. 37-2021-00050889-CU-AT-CTL

Judge: Hon. James A. Mangione

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF ANTI-SLAPP MOTION
BY DEFENDANTS, LARRY GERACI
AND REBECCA BERRY, TO
PLAINTIFFS' FIRST AMENDED
COMPLAINT**

(Related to ROA #11)

DATE: October 21, 2022

TIME: 9:00 am

DEPT: C-75

[IMAGED FILE]

Action Filed: December 3, 2021

Trial Date: Not Yet Set

1 Defendants and moving parties, Larry Geraci and Rebecca Berry, request that the Court take
2 judicial notice of various documents and pleadings from other state court actions and federal actions as
3 described below.

4 Evidence Code section 452(d) provides that judicial notice may be taken of “[r]ecords of (1)
5 any court of this state or (2) any court of record of the United States or of any state of the United
6 States.” Evidence Code section 453 provides that “[t]he trial court shall take judicial notice of any
7 matter specified in Section 452 if a party requests it and; (a) [g]ives each adverse party sufficient
8 notice of the request, through the pleadings or otherwise, to enable such adverse party to prepare to
9 meet the request; and (b) [f]urnishes the court with sufficient information to enable it to take judicial
10 notice of the matter.”

11 Defendants and moving parties, Larry Geraci and Rebecca Berry, request that the Court take
12 judicial notice of the following pleadings filed in other court actions:

13 1. The final judgment entered August 19, 2019 in the prior state court action captioned,
14 *Larry Geraci v. Darryl Cotton*, San Diego Superior Court Case No. 37-2017-00010073-CU-BC-CTL
15 (hereinafter, the *Cotton I* judgment”), a true and correct copy of which is attached as Exhibit 1 to the
16 Notice of Lodgment in Support of the Demurrer by Defendants, Larry Geraci and Rebecca Berry, to
17 Plaintiffs’ First Amended Complaint.

18 2. The First Amended Complaint filed July 9, 2020, in the prior federal court action
19 captioned *Andrew Flores, etc. et al. v. Gina M. Austin, etc. et al.*; U.S. District Court Case No. 3:20-
20 cv-00656 (the “*Flores I* lawsuit”), a true and correct copy of which is attached as Exhibit 2 to the
21 Notice of Lodgment in Support of the Demurrer by Defendants, Larry Geraci and Rebecca Berry, to
22 Plaintiffs’ First Amended Complaint.

23 3. The Order entered on March 23, 2022, by the federal court in the *Flores I* lawsuit,
24 granting *with prejudice* the motions to dismiss brought by Judge Wohlfeil and by Michael Weinstein,
25 Scott H. Toothacre, Elyssa Kulas, Rachel M. Prendergast, and Ferris & Britton, APC (collectively the
26 “F&B Defendants”, i.e, the law firm and attorneys and paralegal, the lawyers who represented Geraci
27 and Berry in *Cotton I*), a true and correct copy of which is attached as Exhibit 3 to the Notice of
28 Lodgment in Support of the Demurrer by Defendants, Larry Geraci and Rebecca Berry, to Plaintiffs’

1 First Amended Complaint.

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3 Dated: July 22, 2022,

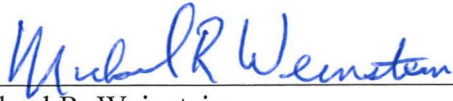
FERRIS & BRITTON,

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A Professional Corporation

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By: 

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Michael R. Weinstein

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Scott H. Toothacre

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Attorneys for Defendants

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LARRY GERACI and REBECCA BERRY

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