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

27 Defendants.
28

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

07/22/2022 at 03:08:00 PM

Clerk of the Superior Court
By Taylor Crandall, Deputy Clerk

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

Judge: Hon. James A. Mangione

**NOTICE OF LODGMENT IN SUPPORT OF
DEMURRER 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

NOTICE OF LODGMENT

PLEASE TAKE NOTICE THAT the defendants, Larry Geraci and Rebecca Berry, hereby lodge true and correct copies of the following pleadings in support of said defendants' Demurrer to Plaintiffs' First Amended Complaint:

Ex. No.	Exhibit Description	Evidentiary Foundation
1.	The final judgment entered August 19, 2019, in the prior state court action captioned <i>Larry Geraci v. Darryl Cotton</i> , San Diego Superior Court Case No. 37-2017-00010073-CU-BC-CTL (the <i>Cotton I</i> judgment”).	Request for Judicial Notice in Support of Demurrer by Defendants, Larry Geraci and Rebecca Berry to Plaintiffs' First Amended Complaint, paragraph 1.
2.	The First Amended Complaint filed July 9, 2020, in the prior federal court action captioned <i>Andrew Flores, etc. et al. v. Gina M. Austin, etc. et al.</i> ; U.S. District Court Case No. 3:20-cv-00656 (the “ <i>Flores I</i> lawsuit”).	Request for Judicial Notice in Support of Demurrer by Defendants, Larry Geraci and Rebecca Berry to Plaintiffs' First Amended Complaint, paragraph 2.
3.	The Order entered March 23, 2022, in the <i>Flores I</i> lawsuit, granting <i>with prejudice</i> the motions to dismiss brought by Judge Wohlfeil and by Michael Weinstein, Scott H. Toothacre, Elyssa Kulas, Rachel M. Prendergast, and Ferris & Britton, APC (collectively the “F&B Defendants,” the law firm and its attorneys and paralegal who represented Geraci and Berry in <i>Cotton I</i>).	Request for Judicial Notice in Support of Demurrer by Defendants, Larry Geraci and Rebecca Berry to Plaintiffs' First Amended Complaint, paragraph 3.

Dated: July 21, 2022

FERRIS & BRITTON,
A Professional Corporation

By: Michael R. Weinstein
Michael R. Weinstein
Scott H. Toothacre
Attorneys for Defendant
LARRY GERACI and REBECCA BERRY