

Clerk stamps date here when form is filed.

## 1 Petitioner (Employer)

a. Name: FERRIS & BRITTON, APC

Lawyer for Petitioner (if any for this case):

Name: Michael R. Weinstein State Bar No.: 106464Firm Name: FERRIS & BRITTON, APC

b. Address (If you have a lawyer, give your lawyer's information.):

Address: 501 West Broadway, Suite 1450City: San Diego State: CA Zip: 92101Telephone: 619-233-3131 Fax: 619-232-9361E-Mail Address: mweinstein@ferrisbritton.com

FILED

Clerk of the Superior Court

SEP - 5 2018

By: J. Montano, Deputy

Fill in court name and street address:

Superior Court of California, County of  
SAN DIEGO SUPERIOR  
HALL OF JUSTICE  
330 West Broadway, Room 225  
San Diego, California 92101

Fill in case number:

Case Number:  
37-2018-00044576-CU-PT-CTL

## 2 Employee in Need of Protection

Full Name: Michael R. Weinstein

## 3 Respondent (Person From Whom Protection Is Sought)

Full Name: Darryl Cotton

The court will complete the rest of this form.

## 4 Notice of Hearing

A court hearing is scheduled on the request for restraining orders against the respondent:

Hearing Date	Date: <u>10/01/18</u>	Time: <u>9:30 AM</u>	Name and address of court if different from above:
	Dept.: <u>661</u>	Room: _____	

## 5 Temporary Restraining Orders (Any orders granted are on Form WV-110, served with this notice.)

a. Temporary Restraining Orders for personal conduct and stay away orders as requested in Form WV-100, Request for Workplace Violence Restraining Orders, are (check only one box below):

(1) ☒ All **GRANTED** until the court hearing.(2) ☐ All **DENIED** until the court hearing. (Specify reasons for denial in b, below.)(3) ☐ Partly **GRANTED** and partly **DENIED** until the court hearing. (Specify reasons for denial in b, below.)

Case Number:

37-2018-00044576-CU-PT-CTL

b. Reasons that Temporary Restraining Orders as requested in Form WV-100, *Petition for Workplace Violence Restraining Orders*, for personal conduct or stay away are denied are:

- (1) ☐ The facts as stated in Form WV-100 do not sufficiently show reasonable proof that the employee has suffered unlawful violence or a credible threat of violence by the respondent, and that great or irreparable harm to the employee would result if a temporary restraining order is not issued.
- (2) ☐ Other (specify): ☐ As stated on Attachment 5b.

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6 Service of Documents by the Petitioner

At least ☒ five ☐ \_\_\_\_\_ days before the hearing, someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court file-stamped copy of this Form WV-109, *Notice of Court Hearing*, to the respondent along with a copy of all the forms indicated below:

- a. WV-100, *Petition for Workplace Violence Restraining Orders* (file-stamped)
- b. ☒ WV-110, *Temporary Restraining Order* (file-stamped) **IF GRANTED**
- c. WV-120, *Response to Petition for Workplace Violence Restraining Orders* (blank form)
- d. WV-120-INFO, *How Can I Respond to a Petition for Workplace Violence Restraining Orders?*
- e. WV-250, *Proof of Service of Response by Mail* (blank form)
- f. ☐ Other (specify): \_\_\_\_\_

Date: 9-5-18

Judicial Officer

RICHARD S. WHITNEY

To the Petitioner:

- The court cannot make the restraining orders after the court hearing unless the respondent has been personally given (served) a copy of your request and any temporary orders. To show that the respondent has been served, the person who served the forms must fill out a proof of service form. Form WV-200, *Proof of Personal Service*, may be used.
- For information about service, read Form WV-200-INFO, *What Is "Proof of Personal Service"?*
- If you are unable to serve the respondent in time, you may ask for more time to serve the documents. Use Form WV-115, *Request to Continue Court Hearing and to Reissue Temporary Restraining Order*.

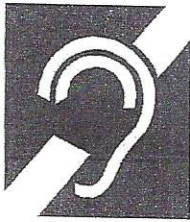


Case Number:

37-2018-00044576-CU-PT-CTL

### To the Respondent

- If you want to respond to the request for orders in writing, file Form WV-120, *Response to Request for Workplace Violence Restraining Orders*, and have someone age 18 or older—**not you or anyone to be protected**—mail it to the petitioner.
- The person who mailed the form must fill out a proof of service form. Form WV-250, *Proof of Service of Response by Mail*, may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested.
- You may bring witnesses and other evidence.
- **At the hearing, the judge may make restraining orders against you that could last up to three years and may order you to sell or turn in any firearms that you own or possess.**



#### Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for *Request for Accommodations by Persons with Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

#### —Clerk's Certificate—

I certify that this ~~Notice~~ *Notice of Court Hearing* is a true and correct copy of the original on file in the court.



SEP - 5 2018

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "A. Beaton".

, Deputy

**A. Beaton**

Clerk stamps date here when form is filed.

## 1 Petitioner (Employer)

a. Name: FERRIS & BRITTON, APC

Lawyer for Petitioner (if any, for this case):

Name: Michael R. Weinstein State Bar No.: 106464Firm Name: FERRIS & BRITTON, APC

b. Your Address (If you have a lawyer, give your lawyer's information.):

Address: 501 West Broadway, Suite 1450City: San Diego State: CA Zip: 92101Telephone: 619-233-3131 Fax: 619-232-9316E-Mail Address: mweinstein@ferrisbritton.com

FILED

Clerk of the Superior Court

SEP - 5 2018

By: J. Montano, Deputy

Fill in court name and street address:

Superior Court of California, County of  
 Superior Court of California  
 Civil Division  
 330 W Broadway  
 San Diego, CA 92101

## 2 Employee (Protected Person)

Full Name: MICHAEL R. WEINSTEIN

## 3 Respondent (Restrained Person)

Full Name: DARRYL COTTON

Description:

Court fills in case number when form is filed.

Case Number:

37-2018-00044576-CU-PT-CTL

Sex: ☒ M ☐ F Height: 6' 2" Weight: 200 Date of Birth: May 29, 1960Hair Color: Gray Eye Color: \_\_\_\_\_ Age: 58 Race: CaucasianHome Address (if known): 6176 Federal BoulevardCity: San Diego State: CA Zip: 92114Relationship to Employee: I am the attorney for Mr. Geraci & Ms. Berry who are in litigation with Mr. Cotton.4 ☒ Additional Protected Persons

In addition to the employee, the following family or household members or other employees are protected by the temporary orders indicated below:

Full Name	Sex	Age	Household Member?	Relation to Employee
Scott H. Toothacre	M	55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Co-Employee
Elyssa Kulas	F	26	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Co-Employee
			<input type="checkbox"/> Yes <input type="checkbox"/> No	

☐ Additional protected persons are listed at the end of this Order on Attachment 4.

## 5 Expiration Date

This Order expires at the end of the hearing scheduled for the date and time below:

Date: 10/01/18 Time: 9:30 ☒ a.m. ☐ p.m.

This is a Court Order.



**To the Respondent:**

The court has issued the temporary orders checked as granted below. If you do not obey these orders, you can be arrested and charged with a crime. You may have to go to jail for up to one year, pay a fine of up to \$1,000, or both.

**⑥ Personal Conduct Orders**

☐ Not Requested    ☐ Denied Until the Hearing    ☒ **Granted as Follows:**

a. You are ordered **not** do the following things to the employee

☒ and to the other protected persons listed in ④:

- (1) ☒ Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property of, or disturb the peace of the person.
- (2) ☒ Commit acts of violence or make threats of violence against the person.
- (3) ☒ Follow or stalk the person during work hours or to or from the place of work.
- (4) ☒ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, or by other electronic means.
- (5) ☐ Enter the workplace of the person.
- (6) ☒ Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.
- (7) ☐ Other (specify):

☐ Other personal conduct orders are attached at the end of this Order on Attachment 6a(7).

b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. However, you may have your papers served by mail on the petitioner.

**⑦ Stay-Away Order**

☐ Not Requested    ☐ Denied Until the Hearing    ☒ **Granted as Follows:**

a. You **must** stay at least 200 yards away from (check all that apply):

- (1) ☒ The employee
- (2) ☒ Each other protected person listed in ④
- (3) ☒ The employee's workplace
- (4) ☒ The employee's home
- (5) ☒ The employee's school
- (6) ☒ The employee's children's school
- (7) ☒ The employee's children's place of child care
- (8) ☒ The employee's vehicle
- (9) ☐ Other (specify):

b. This stay-away order does not prevent you from going to or from your home or place of employment.

**This is a Court Order.**

**8 No Guns or Other Firearms and Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
- (1) Sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.
  - (2) File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. (*You may use form WV-800, Proof of Firearms Turned In, Sold, or Stored for the receipt.*)
- c. ☐ The court has received information that you own or possess a firearm.

**9 Other Orders**

☒ **Not Requested**    ☐ **Denied Until the Hearing**    ☐ **Granted as Follows (specify):**

☐ Additional orders are attached at the end of this Order on Attachment 9.

**To the Petitioner:****10 Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (*Check one*):

- a. ☐ The clerk will enter this Order and its proof-of-service form into CARPOS.
- b. ☒ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
- c. ☐ By the close of business on the date that this Order is made, the employer or the employer's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agencies listed below to enter into CARPOS:

Name of Law Enforcement Agency

Address (City, State, Zip)

☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 10.

**11 No Fee to Serve (Notify) Restrained Person**

☒ **Ordered**    ☐ **Not Ordered**

The sheriff or marshal will serve this Order without charge because:

- a. ☒ The Order is based on a credible threat of violence or stalking.
- b. ☐ The petitioner is entitled to a fee waiver.

**This is a Court Order.**



(12) Number of pages attached to this Order, if any: \_\_\_\_\_

Date: \_\_\_\_\_

9-5-18

Judicial Officer



**RICHARD S. WHITNEY**

**Warnings and Notices to the Restrained Person in ②**

**You Cannot Have Guns or Firearms**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item ⑧ above. The court will require you to prove that you did so.

**Notice Regarding Nonappearance at Hearing and Service of Order**

If you have been personally served with this Temporary Restraining Order and form WV-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in item ③.

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

**After You Have Been Served With a Restraining Order**

- Obey all the orders. Any intentional violation of this Order is a misdemeanor punishable by a fine or by imprisonment in a county jail, or by both fine and imprisonment. (Pen. Code, § 273.6.)
- Read form WV-120-INFO, *How Can I Respond to a Petition for Orders to Stop Workplace Violence?*, to learn how to respond to this Order.
- If you want to respond, fill out form WV-120, *Response to Petition for Workplace Violence Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response if the petition claims that you threatened violence against or stalked the employee, or placed the employee in reasonable fear of violence.
- You must have form WV-120 served on the petitioner or the petitioner's attorney by mail. You cannot do this yourself. The person who does the service should complete and sign form WV-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms). If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to three years. Tell the judge why you disagree with the orders requested.

**This is a Court Order.**

**Instructions for Law Enforcement****Enforcing the Restraining Order**

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). Agencies are encouraged to enter violation messages into CARPOS. If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

**Start Date and End Date of Orders**

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item 5 on page 1.

**If the Protected Person Contacts the Restrained Person**

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

**Conflicting Orders—Priorities for Enforcement**

**If more than one restraining order has been issued, the orders must be enforced according to the following priorities:** (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

**—Clerk's Certificate—**

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: SEP - 5 2018

Clerk, by



, Deputy

**A. Beason**

**This is a Court Order.**





**WV-100****Petition for Workplace Violence Restraining Orders**

Clerk stamps date here when form is filed.

Read *How Do I Get an Order to Prohibit Workplace Violence* (form WV-100-INFO) before completing this form. **NOTE: Petitioner must be an employer with standing to bring this action under Code of Civil Procedure section 527.8.** Also fill out *Confidential CLETS Information* (form CLETS-001) with as much information as you know.

**1 Petitioner (Employer)**a. Name: FERRIS & BRITTON, APCis a ☒ corporation ☐ sole proprietorship  
☐ (specify):

and is filing this suit on behalf of the employee identified in item ②.

b. Lawyer for Petitioner (if any for this case)

Name: Michael R. WeinsteinState Bar No.: 106464Firm Name: FERRIS & BRITTON, APC

Petitioner's Address (If the petitioner has a lawyer, give the lawyer's information.)

c. Address: 501 West Broadway, Suite 1450City: San Diego State: CA Zip: 92101Telephone: 619-233-3131 Fax: 619-232-9316E-Mail Address: mweinstein@ferrisbritton.com**2 Employee in Need of Protection**Full Name: Michael R. WeinsteinSex: ☒ M ☐ F Age: 60**3 Respondent (Person From Whom Protection Is Sought)**Full Name: DARRYL COTTONAge: 58Address (if known): 6176 Federal BoulevardCity: San Diego State: CA Zip: 92114**4 Additional Protected Persons**

a. Are you asking for protection for any family or household members of the employee or for any other employees at the employee's workplace or at other workplaces of the petitioner?

☒ Yes ☐ No (If yes, list them):

Full Name	Sex	Age	Household Member?	Relationship to Employee
<u>Scott H. Toothacre</u>	<u>M</u>	<u>55</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Employee of Petitioner</u>
<u>Elyssa Kulas</u>	<u>F</u>	<u>26</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Employee of Petitioner</u>
			<input type="checkbox"/> Yes <input type="checkbox"/> No	

☐ Additional protected persons are listed in Attachment 4a.FILED  
CIVIL BUSINESS OFFICE 19  
CENTRAL DIVISION

10 SEP -5 AM 9:56

CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY CA

Fill in court name and street address:

Superior Court of California, County of  
SAN DIEGO - HALL OF JUSTICE  
330 West Broadway, Room 225  
San Diego, California 92101

Court fills in case number when form is filed.

Case Number: 37-2018-00041576-CU-PT-CTL**This is not a Court Order.**

4 b. Why do these people need protection? (Explain):

☒ Response is stated in Attachment 4b.

See attached Declaration of Michael R. Weinstein. Based on the credible threats of violence against employees Michael R. Weinstein and Scott H. Toothacre, all employees at the firm need protection.

5 Relationship of Employee and Respondent

a. How does the employee know the respondent? (Describe): ☐ Response is stated in Attachment 5a.

Respondent is a Defendant in SDSC Case No. 37-2017-00010073-CU-BC-CTL in which Petitioner/Employee represents the Plaintiff.

b. Respondent ☐ is ☒ is not a current employee of petitioner. (Explain any decision to retain, terminate, or otherwise discipline the respondent): ☐ Response is stated in Attachment 5b.

6 Venue

Why are you filing in this county? (Check all that apply):

a. ☒ The respondent lives in this county.

b. ☐ The respondent has caused physical or emotional injury to the petitioner's employee in this county.

c. ☐ Other (specify):

7 Other Court Cases

a. Has the employee or any of the persons named in 4 been involved in another court case with the respondent?

☐ No ☐ Yes If yes, check each kind of case and indicate where and when each was filed:

Kind of Case	Filed in (County/State)	Year Filed	Case Number (if known)
(1) <input type="checkbox"/> Workplace Violence			
(2) <input type="checkbox"/> Civil Harassment			
(3) <input type="checkbox"/> Domestic Violence			
(4) <input type="checkbox"/> Divorce, Nullity, Legal Separation			
(5) <input type="checkbox"/> Paternity, Parentage, Child Support			
(6) <input type="checkbox"/> Eviction			
(7) <input type="checkbox"/> Guardianship			
(8) <input type="checkbox"/> Small Claims			
(9) <input type="checkbox"/> Postsecondary School Violence			
(10) <input type="checkbox"/> Criminal			
(11) <input checked="" type="checkbox"/> Other (specify):			
USDC-Southern 18cv0325 GPC MDD	San Diego Superior	2017	10073-CU-BC-CTL
	San Diego Superior	2017	37675-CU-WM--CTL

b. Are any restraining orders or criminal protective orders now in effect relating to the employee or any of the persons in 4 and the respondent? ☒ No ☐ Yes (If yes, attach a copy if you have one.)

This is not a Court Order.





Case Number:

37-2018-00044576-CU-PT-CT

**8 Description of Respondent's Conduct**

a. Respondent has (*check one or more*):

- (1) ☐ Assaulted, battered, or stalked the employee  
(2) ☒ Made a credible threat of violence against the employee by making knowing or willful statements or engaging in a course of conduct that would place a reasonable person in fear for his or her safety or the safety of his or her immediate family.

b. One or more of these acts (*check either or both*):

- (1) ☐ Took place at the employee's workplace  
(2) ☒ Can reasonably be construed to be carried out in the future at the employee's workplace

Address of workplace: 501 West Broadway, Suite 1450  
San Diego, California 92101

c. Describe what happened. (*Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses*):

☐ Response is stated in Attachment 8c.

See attached Declaration of Michael R. Weinstein

d. Was the employee harmed or injured?

☒ Yes ☐ No (*If yes, describe harm or injuries*):

☐ Response is stated in Attachment 8d.

The Employee has been harmed because he fears for the safety of himself, his family, his co-workers, and his clients.

e. Did the respondent use or threaten to use a gun or any other weapon?

☐ Yes ☐ No (*If yes, describe*):

☐ Response is stated in Attachment 8e.

See attached Declaration of Michael R. Weinstein.

**This is not a Court Order.**



- 8 f. For any of the incidents described above, did the police come? ☐ Yes ☒ No ☐ I don't know

If yes, did the employee or the respondent receive an Emergency Protective Order?

☐ Yes ☐ No ☐ I don't know

If yes, the order protects (*check all that apply*):

☐ the employee ☐ the respondent ☐ one or more of the persons in (4).

(*Attach a copy of the order if you have one.*)

### Check the orders you want ☒

#### 9 ☒ Personal Conduct Orders

I ask the court to order the respondent **not** to do any of the following things to the employee or to any person to be protected listed in (4):

- ☒ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
- ☒ Commit acts of unlawful violence on or make threats of violence to the person.
- ☒ Follow or stalk the person during work hours or to or from the place of work.
- ☒ Contact the person, either directly or indirectly, by **any** means, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
- ☒ Enter the person's workplace.
- ☐ Other (*specify*):  
☐ As stated in Attachment 9f.

*The respondent will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.*

#### 10 Stay-Away Order

- a. I ask the court to order the respondent to stay at least 50 yards away from (*check all that apply*):

- (1) ☒ The employee.
- (2) ☒ The other persons listed in (4).
- (3) ☒ The employee's workplace.
- (4) ☒ The employee's home.
- (5) ☐ The employee's school.
- (6) ☐ The school of the employee's children.
- (7) ☐ The place of child care of the employee's children.
- (8) ☒ The employee's vehicle.
- (9) ☐ Other (*specify*):

**This is not a Court Order.**





- 10 b. If the court orders the respondent to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☒ Yes ☐ No (If no, explain):  
☐ Response is stated on Attachment 10b.

### 11 Guns or Other Firearms and Ammunition

Does the respondent own or possess any guns or other firearms? ☐ Yes ☐ No ☒ I don't know

*If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any guns or firearms within his or her immediate possession or control.*

### 12 ☒ Temporary Restraining Order

I request that a Temporary Restraining Order (TRO) be issued against the Respondent to last until the hearing. I am presenting form WV-110, *Temporary Restraining Order*, for the court's signature together with this Petition.

Has the Respondent been told that you were going to go to court to seek a TRO against him/her?  
☐ Yes ☒ No (If you answered no, explain why below):

☐ Reasons are stated in Attachment 12.

I, Michael R. Weinstein, informed Respondent's attorney, Jacob Austin, by email dated September 4, 2018, at 10:02 a.m., that I would be appearing on Wednesday, September 5, 2018 at 8:30 am at the clerk's office of the San Diego Superior Court to obtain this TRO and obtain a court hearing on the Petition.

### 13 ☐ Request for Less Than Five Days' Notice of Hearing

*You must have your papers personally served on the respondent at least five days before the hearing, unless the court orders a shorter time for service. (Form WV-200-INFO explains what is proof of personal service. Form WV-200, Proof of Personal Service, may be used to show the court that the papers have been served.)*

If you want there to be fewer than five days between service and the hearing, explain why:

☐ Reasons are stated in Attachment 13.

### 14 ☒ No Fee for Filing

I ask that there be no filing fee because the respondent has threatened violence against the employee, or stalked the employee, or acted or spoken in a manner that has placed the employee in reasonable fear of violence.

**This is not a Court Order.**



Case Number:

37-2018-00044576-CU-PT-CTL

**15** ☒ **No Fee to Serve Orders**

I ask the court to order the sheriff or marshal to serve the respondent with the others for free because this request for orders is based on a credible threat of violence or stalking.

**16** ☐ **Court Costs**

I ask the court to order the respondent to pay my court costs.

**17** ☐ **Additional Orders Requested**

I ask the court to make the following additional orders (*specify*):

☐ Additional orders requested are stated in Attachment 17.

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**18** Number of pages attached to this form, if any: 85

Date: September 4, 2018

MICHAEL R. WEINSTEIN

*Lawyer's name (if any)*

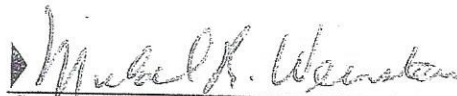
  
*Lawyer's signature*

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: September 4, 2018

FERRIS & BRITTON, APC

*Name of petitioner*

  
*Signature*

Michael R. Weinstein, Shareholder

*Title*

**This is not a Court Order.**