

Amended: In accordance with San Diego Municipal Code section 22.0101, Rule 8.6, the following is a list of lawsuits filed on behalf of, or served on the City of San Diego, its agents and employees, during the period April 19, 2021 – April 23, 2021:

Case Name and Description	Plaintiff's Attorney	Case Number and Court	Date Filed	Date Served
<i>Olivia Rockman and Raisa Rokhman v City of San Diego, San Diego Civic Theater and San Diego Civic Center</i> Plaintiff alleges personal injury due to a trip and fall on a metal expansion joint.	Olga Nazimova	37-2020-00017232-CU-PO-CTL San Diego Superior Court – Central Division	5/26/2020	4/23/2021
<i>James Garcia v. City of San Diego, Hillcrest Essex, LLC, Bossenbroek-Llewellyn, LLC</i> Plaintiff alleges personal injury due to a trip and fall on a drainage ditch.	Richard B. Mackie	37-2021-00011655-CU-PO-CTL San Diego Superior Court – Central Division	3/16/2021	4/19/2021
<i>Fifth Avenue Landing California, LLC, a California limited liability company v. City of San Diego, a California public entity.</i> Plaintiff alleges the defendant's operation of the Convention Center as a homeless shelter has created a public nuisance. Plaintiff also alleges the defendant has failed to timely respond to its claim seeking to recover increased security costs of \$168,000 related to defendant's operation of a homeless shelter.	David S. Demian	37-2021-00013531-CU-MC-CTL San Diego Superior Court – Central Division	3/26/2021	4/19/2021
<i>TATOMA, INC., DBA Atelier Aucoin Salon; THOMAS L. AUCOIN, SO CAL FITNESS CLUBS, LLC v. GAVIN NEWSOM, XAVIER BECERRA, KRISTY UNDERWOOD, KEVIN FAULCONER, WILMA J. WOOTEN, M.D., HELEN N. ROBBINS-MEYER, DAVID NISLEIT, WILLIAM GORE, COUNTY OF SAN DIEGO, CITY OF SAN DIEGO</i> Plaintiffs allege the defendants violated their right to liberty and property by the closure of their barbering and cosmetology businesses due to the pandemic.	Francis A. Bottini, Jr. Albert Y. Chang Anne Beste	3:21-cv-00098-BEN-JLB US District Court for the Southern District of California	1/19/2021	4/20/2021
<i>Luke Mahoney, an individual and Laura Johnson, an individual v. The City of San Diego Development Services Department, The City of San Diego</i> Plaintiffs allege the defendants wrongfully issued a Correction Notice altering plaintiff's building permit to build extensions on their property located in San Diego, California which incorrectly claimed the deck was located within the street side setback area. A property survey confirmed the city inspector was incorrect, but defendant has refused to inspect plaintiff's property, resulting in the complete stop of the construction project.	Peter J. Schulz, Esq.	37-2021-00016668-CU-OR-CTL San Diego Superior Court – Central Division	4/14/2021	4/20/2021
<i>Geico Indemnity Company v. San Diego Police Department and Micah Navarizo</i> Plaintiff is seeking to recover \$13,286.17 as a result of an automobile accident between its insured and a City driver.	Cherie L. Paulus	37-2021-00016433-CI-IC-CTL San Diego Superior Court – Central Division	4/13/2021	4/20/2021
<i>Orion Construction Corporation, a California Corporation v. City of San Diego, a municipal corporation</i> Plaintiff alleges the defendant did not pay \$960,000 for construction work performed by the plaintiff at the Mira Mesa Trunk Sewer Improvement Project.	Sean Dowsing Thomas F. Feerick Dustin R. Jones Evan J. Newman	37-2021-00015683-CU-BC-CTL San Diego Superior Court – Central Division	4/08/2021	4/21/2021

Litigation Log April 19, 2021 – April 23, 2021 (continued)

Case Name and Description	Defendant's Attorney	Case Number and Court	Date Filed	Date Served
<p><i>City of San Diego, a Municipal Corporation v. GDM Hotel Properties Mezz Member, LLC, a Delaware Limited Liability Company, The Grand Del Mar, LLC, a California Limited Liability Company, dba Fairmont Grand Del Mar.</i></p> <p>Plaintiff alleges defendant is in breach of contract and is owed \$1,137,050.00 in Transient Occupancy Tax, \$17,295.00 in transfer fees additionally \$11,989.75 in late fees, \$2,581,714.84 in homeowners association dues, \$232,354.58 in impound fees with \$58,088.58 in late penalties and \$319,636.67 to the City Treasurer. The City is also requesting a collection referral fees in the amount of \$2,000 and interest in the amount of \$44,899.85.</p>	<p>Michael Sizer Brittany Sizer</p>	<p>37-2021-00015783-CU-BC-CTL San Diego Superior Court – Central Division</p>	<p>Amendment 4/21/2021</p>	<p>Pending</p>

Small Claims cases filed **or returned** from the court to the City this reporting period.

Case Name and Description	Defendant's Attorney	Case Number and Court	Date Filed	Date Served
<p><i>City of San Diego v. Fordyce Construction Inc. a California corporation</i></p>	<p>Self-Represented</p>	<p>21VESC00193 Superior Court of California- County of Los Angeles</p>	<p>2/01/2021</p>	<p>Pending</p>
<p><i>City of San Diego v. Brianna Vanessa Peredo & Enrique Peredo</i></p>	<p>Self-Represented</p>	<p>37-2021-00008870-SC-SC-CTL San Diego Superior Court – Central Division</p>	<p>2/03/2021</p>	<p>Pending</p>