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Los Angeles

MAR 16 2021

Sherri R. Carter, Executive Officer/Clerk of Court

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – CENTRAL DISTRICT

CITY OF BURBANK, a municipal corporation; and THE PEOPLE OF THE STATE OF CALIFORNIA, by and through AMELIA ANN ALBANO, City Attorney for the City of Burbank,

Plaintiffs,

v.

BARFLY, INC., a California corporation; BARET LEPEJIAN, an individual; LUCAS LEPEJIAN, an individual; TALYA LEPEJIAN, an individual; ISABELLE LEPEJIAN, an individual; and DOES 1 through 100, inclusive,

Defendants.

Case No.: 21STCV07923

[REDACTED] ORDER GRANTING PLAINTIFFS' EX PARTE APPLICATION TO FURTHER MODIFY TEMPORARY RESTRAINING ORDER AND ISSUE FURTHER ORDER TO SHOW CAUSE RE SANCTIONS FOR VIOLATIONS OF COURT ORDERS

[Ex Parte Application; Memorandum of Points and Authorities; Declarations of Michael M. Lee, Judie Wilke, Ed Khouradjian, Juan Carlos Murillo, and Michael Tachco filed concurrently herewith]

Assigned to the Hon. Armen Tamzarian Stanley Mosk Courthouse, Department 52

HEARING

Date: March 16, 2021
Time: 8:30 a.m.
Dept.: 86

Complaint Filed: March 1, 2021
Trial Date: TBD

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ORDER

Plaintiffs City of Burbank's (the "City") and the People of the State of California's, by and through Amelia Ann Albano, City Attorney for the City of Burbank (collectively, "Plaintiffs"), *Ex Parte* Application to Further Modify Temporary Restraining Order and Issue Further Order to Show Cause Re Contempt and for Sanctions for Violations of Court Order ("Application") came on for hearing in Department 86 of the above-entitled Court, 111 North Hill Street, Los Angeles, California 90012 on March 16, 2021 at 8:30 a.m., the Honorable Mitchell L. Beckloff presiding.

Based upon the papers submitted and argument of counsel, the Application is **GRANTED.**

FURTHER AMENDMENT TO TEMPORARY RESTRAINING ORDER
ISSUED ON MARCH 8, 2021

IT IS HEREBY ORDERED that the Temporary Restraining Order issued by this Court on March 8, 2021 (the "TRO"), and modified/amended on March 12, 2021, is hereby further modified and amended to add the following paragraph to the TRO:

1. The Court authorizes the City to padlock the doors ~~and/or change the locks~~ to Tin Horn Flats Saloon/Bar & Grill ("Tin Horn Flats"), and/or otherwise prevent Defendant Barfly, Inc. and its agents, employees, representatives, and all persons acting under, in concert with or for it, from entering or accessing Tin Horn Flats *to operate a food facility or restaurant* until Defendant Barfly, Inc. obtains ~~all~~ valid and legally required permits to operate Tin Horn Flats. *

All other terms of the TRO issued by this Court on March 8, 2021, and as modified/amended on March 12, 2021, remain unchanged.

ORDER TO SHOW CAUSE RE SANCTIONS

IT IS HEREBY ORDERED that Defendant Barfly, Inc. is to appear on 3/26, 2021 at 9³⁰ (a.m.)/p.m., in Department 86 of the above-entitled

1 court, located at 111 North Hill Street, Los Angeles, California 90012, to show cause why the
2 Court should not issue the following orders providing for the following relief:

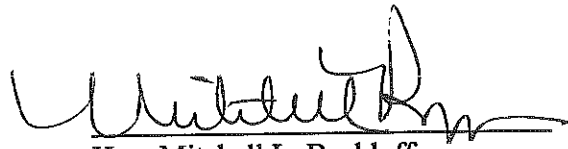
3 1. An Order imposing further sanctions against Defendant Barfly, Inc. in the amount
4 of \$1,500.00 for each violation of the Court's March 8, 2021 Temporary Restraining Order,
5 pursuant to Code of Civil Procedure section 177.5.

6 Any opposition papers to the Order to Show Cause shall be filed and served on Plaintiffs
7 no later than 3/22, 2021 at 4³⁰ (p.m.)

8 Any reply papers to the Order to Show Cause shall be filed and served on Defendant
9 Barfly, Inc. no later than 3/25, 2021 at 12⁰⁰ (p.m.)

10 COUNTESSY COPIES TO BE LODGED IMMEDIATELY IN
11 IT IS SO ORDERED. THE DEPARTMENT

12 DATED: 3/16, 2021

13
14 

15 Hon. Mitchell L. Beckloff
16 Judge of the Los Angeles Superior Court

17
18 * SHOULD BARFLY, INC WISH ACCESS TO THE
19 PROPERTY FOR SOME PURPOSES OTHER THAN
20 FOOD SERVICE, THE CITY SHALL WORK WITH
21 BARFLY, INC TO PROVIDE SUCH ACCESS.
22 THE PROPOSED USE, HOWEVER, MUST OTHERWISE
23 COMPLY WITH LAW. ACCESS TO THE
24 FACILITY SHALL BE FACILITATED BY
25 COUNSEL. ACCESS SHALL BE PROVIDED AS
26 PERMITTED HEREIN ON REASONABLE NOTICE.
27
28



PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years old and not a party to this action. My business address is 275 E. Olive Avenue, Burbank, California 91502.

On March 15, 2021, I served the foregoing document described as:

[PROPOSED] ORDER GRANTING PLAINTIFFS' EX PARTE APPLICATION TO FURTHER MODIFY TEMPORARY RESTRAINING ORDER AND ISSUE FURTHER ORDER TO SHOW CAUSE RE SANCTIONS FOR VIOLATIONS OF COURT ORDERS

(X) **BY ELECTRONIC SERVICE:** by e-mailing the document listed above to the persons at the email addresses listed below, per prior agreement between the parties and/or Code of Civil Procedure section 1010.6(e).

Mark Geragos Alexandra Kazarian Geragos & Geragos 644 South Figueroa Street Los Angeles, CA 90017 Tel: (213) 625-3900 Fax: (213) 232-3255 Email: mark@geragos.com Email: ak@geragos.com <i>Counsel for Defendant Barfly, Inc.</i>	Ronda Baldwin-Kennedy Law Office of Ronda Baldwin-Kennedy 5627 Kanan Rd, Ste 614 Agoura Hills, CA 91301 Tel: (951) 268-8977 Fax : (702) 974-0147 Email: ronda@lorbk.com Email: Harveyspecter@lorbk.com <i>Counsel for Defendant Lucas Lepejian</i>
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(X) **BY OVERNIGHT SERVICE:** by delivering the document(s) listed above in a sealed envelope(s) designated by the express service carrier, with fees for delivery by the next business day paid or provided for, to the persons at the addresses listed below, to a facility regularly maintained by the express service carrier or to an authorized courier or driver authorized by the express service carrier to receive documents.

Baret Lepejian Talya Lepejian 2623 W. Magnolia Blvd. Burbank, CA 91505	Baret Lepejian 4747 Forman Ave. Toluca Lake, CA 91602
Talya Lepejian 600 S. Spring Street Unit 302 Los Angeles, CA 90014	Isabelle Lepejian 7301 Vista Del Mar #A210 Playa Del Rey, CA 90293

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 15, 2021, at Burbank, California.

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Arvin Setaghaian