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PURSUANT TO GOV. CODE § 6103

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ORIGINAL FILED
Superior Court of California
County of Los Angeles

MAR 12 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 MODIFY TEMPORARY
RESTRAINING ORDER AND ISSUE
ORDER TO SHOW CAUSE RE
[REDACTED] SANCTIONS
FOR VIOLATIONS OF COURT ORDER**

*[Ex Parte Application; Memorandum of Points
and Authorities; Declarations of Michael M.
Lee, Collin Ogle, Juan Carlos Murillo, Sean
McMann, and Arvin Setaghaian filed
concurrently herewith]*

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

HEARING

Date: March 12, 2021

Time: 8:30 a.m.

Dept.: 86

Complaint Filed: March 1, 2021

Trial Date: TBD

1 **ORDER**

2 Plaintiffs City of Burbank's (the "City") and the People of the State of California's, by
3 and through Amelia Ann Albano, City Attorney for the City of Burbank (collectively,
4 "Plaintiffs"), *Ex Parte* Application to Modify Temporary Restraining Order and Issue Order to
5 Show Cause Re Contempt and for Sanctions for Violations of Court Order ("Application") came
6 on for hearing in Department 86 of the above-entitled Court, 111 North Hill Street, Los Angeles,
7 California 90012 on March 5, 2021 at 8:30 a.m., the Honorable Mitchell L. Beckloff presiding.

8 Based upon the papers submitted and argument of counsel, the Application is
9 **GRANTED. IN PART.** (MB)

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11 **AMENDMENT TO TEMPORARY RESTRAINING ORDER**

12 **ISSUED ON MARCH 8, 2021**

13 **IT IS HEREBY ORDERED** that the Temporary Restraining Order issued by this Court
14 on March 8, 2021 (the "TRO") is hereby amended to add the following paragraph(s) to the TRO:

- 15 1. The Court authorizes the City, through its department and utility, Burbank Water
16 and Power, to disconnect electrical service at Tin Horn Flats ^{on no less than} within 24 hours of
17 ~~signing the Order, and/or~~ **NOTICE TO COUNSEL FOR TIN HORN FLATS.** (MB)

- 18 ~~2. The Court authorizes the City to padlock the doors to Tin Horn Flats until Barfly,~~
19 ~~Inc. obtains all valid and legally required permits to operate Tin Horn Flats.~~

20 All other terms of the TRO issued by this Court on March 8, 2021 remain unchanged.

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22 **ORDER TO SHOW CAUSE RE CONTEMPT AND FOR SANCTIONS**

23 **IT IS HEREBY ORDERED** that Defendant Barfly, Inc. is to appear on
24 3-26, 2021 at 9³⁰ (a.m./p.m.), in Department 86 of the above-entitled
25 court, located at 111 North Hill Street, Los Angeles, California 90012, to show cause why the
26 Court should not issue the following orders providing for the following relief:

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~~An Order holding Defendant Barfly, Inc. in contempt of the Court's
March 8, 2021 Temporary Restraining Order pursuant to Code of Civil Procedure section 177.5
An Order imposing a fine against Defendant Barfly, Inc. of \$1,000.00 for each act
of contempt pursuant to Code of Civil Procedure section 1218, subdivision (a)
An Order that Defendant Barfly, Inc. pay Plaintiffs, who submitted the contempt
petition, their reasonable attorney's fees and costs incurred in connection with the contempt
petition, pursuant to Code of Civil Procedure section 1218, subdivision (a)~~

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

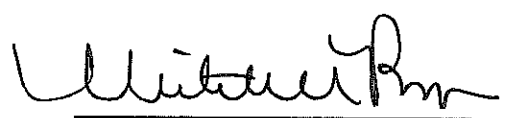
~~The Order shall be served on Defendant Barfly, Inc. no later than March __, 2021.
Proof of service shall be filed no later than March __, 2021.~~

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

Any reply papers to the Order to Show Cause shall be filed and served on Defendant
Barfly, Inc. no later than 3-24, 2021 at 4³⁰ p.m.

IT IS SO ORDERED.

DATED: 3/12, 2021


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

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 11, 2021, I served the foregoing document described as:

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

(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.

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
Counsel for Defendant Barfly, Inc.

(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
Lucas Lepejian
Talya Lepejian
2623 W. Magnolia Blvd.
Burbank, CA 91505

Baret Lepejian
Lucas 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

1 I certify and declare under penalty of perjury under the laws of the State of California that
2 the foregoing is true and correct. Executed on March 11, 2021, at Burbank, California.

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5 _____
6 Arvin Setaghaian
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