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11 Attorneys for Plaintiff COOKIES RETAIL, LLC

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF SAN FRANCISCO**

14 COOKIES RETAIL, LLC, a Delaware limited
15 liability company;

16 Plaintiff,

17 vs.

18 COOKIES CREATIVE CONSULTING &
19 PROMOTIONS, LLC, a California limited
20 liability company; COOKIES CREATIVE
21 CONSULTING & PROMOTIONS, INC., a
22 California corporation; COOKIES SF, LLC, a
23 California limited liability company; COOKIES
24 CREATIVE PT, LLC, a California limited
25 liability company; COOKIES CREATIVE
26 PRODUCTIONS & CONSULTING, INC., an
27 unknown business entity; BIGGERBIZZ, LLC, a
28 California limited liability company;
LEMONNADE, INC., a California corporation;
MESH BRANDS, LLC, a California limited
liability company; 1212 VENTURES, LLC, a
Delaware limited liability company; PARKER
BERLING, an individual; LESJAI PERSONNET
CHANG, an individual; IAN HABENICHT, an
individual; GILBERT ANTHONY MILAM JR.,
an individual; MATT BARRON, an individual;
and DOES 1-100;

Defendants.

**ELECTRONICALLY
FILED**

*Superior Court of California,
County of San Francisco*

06/06/2025
Clerk of the Court
BY: DAEJA ROGERS
Deputy Clerk

Case No.: CGC-24-620457
*Assigned to Hon. Christine Van Aken
Department 301*

**COOKIES RETAIL, LLC'S NOTICE
OF MOTION AND MOTION TO
VACATE ARBITRATION AWARD**

Date: October 6, 2025
Time: 9:00 a.m.
Dept: 301

Complaint Filed: January 12, 2024
Trial Date: None Set

1 TO THIS HONORABLE COURT, TO ALL PARTIES, AND TO THEIR RESPECTIVE
2 ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that, on October 6, 2025, at 9:00 a.m., in Department 301 of the
4 above-captioned court located at 400 McAllister Street, San Francisco, CA 94102, Plaintiff Cookies
5 Retail, LLC (“CRE”) will and hereby does move for an order vacating the June 2, 2025 Final Award
6 of the Honorable David A. Garcia (Ret.)


7 This motion is made in accordance with Code of Civil Procedure section 1286.2 on the
8 grounds that: (i) the Arbitrator exceed his authority, (ii) the award was procedure by corruption,
9 fraud, or undue means, and (iii) CRE’s rights were substantially prejudiced by the refusal of the
10 arbitrator to postpone the hearing upon sufficient cause being shown therefore or by the refusal of
11 the arbitrators to hear evidence material to the controversy.

12 This motion is supported by the following memorandum of points and authorities, the
13 declaration of Thomas M. O’Connell and all exhibits thereto, and any oral argument that may be
14 heard by this Court.

15 DATED: June 6, 2025

BUCHALTER
A Professional Corporation

17
18 By:



THOMAS M. O'CONNELL
ROGER L. SCOTT
CHRISTINA M. MORGAN
Attorneys for Plaintiff Cookies Retail, LLC