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ELECTRONICALLY FILED
Superior Court of California,
County of Alameda
01/11/2022 at 02:42:49 PM
By: Alex Kosenko, Deputy Clerk

6 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
7 FOR THE COUNTY OF ALAMEDA

9 5601 SLOCA, LLC,

10 Plaintiff,

11 vs.

12 AMERICA'S BRICKWORKS, LLC, et al.,

13 Defendants.

Case No.: RG 21 – 107984

DECLARATION OF KENNETH GREER IN
SUPPORT OF PLAINTIFF'S OPPOSITION
TO MOTION TO FOR SUMMARY
JUDGMENT

DATE: January 12, 2022
TIME: 1:30 p.m.
DEPT.: 511

16
17 DECLARATION OF KENNETH GREER

18 1. I am authorized agent for Plaintiff 5601 SLOCA, LLC("Plaintiff") in this action,
19 the owner of the property at 5601 San Leandro Street, 3rd Floor, Oakland, Alameda County,
20 California, ("subject premises"); and, have personal knowledge of the facts and circumstances
21 regarding the duties of Plaintiff and Defendants AMERICA'S BRICKWORKS, LLC and
22 WILSON WU ("Defendants") in regards to Defendants' occupancy at the subject premises.

23 2. Defendants were provided electricity as follows: Defendants were advised at the
24 time they signed the lease that Plaintiff provides power to all tenant by renting diesel generators.
25 Upon request from a tenant, Plaintiff orders a generator. Generators are only provided when a
tenant is prepared to test installed cannabis grow equipment. At no time have Defendants

1 requested a generator as they have not completed construction. These Defendants did not even
2 begin construction until on or about November 2021. When construction began, Defendants
3 were provided power through the existing electrical panel from the first floor.

4 3. Defendant claims access to the unit was "restricted." Defendants have in fact been
5 provided access through multiple avenues: (A) Defendants have access to their unit through the
6 freight elevator in the rear of the facility, (B) An approximately four hundred square foot hole in
7 the wall of Defendants' unit was created to provide access for panels and construction equipment
8 to be too large for freight elevator, and put in the unit by use of a crane, and, (C) three additional
9 stair wells. Additionally, the hole in the wall of tenants' unit existed prior to the execution of the
10 Lease Agreement. Defendants executed the lease with full knowledge of the access points
11 available to them at that time.

12 4. The matter of *Simile Construction Service, Inc. v. Green Sage Management, Inc.*,
13 Alameda County Superior Court, Case No. RG 21 – 104395 bears no relationship to this matter
14 or Plaintiff providing electricity to the premises as described above. Green Sage Management,
15 Inc. of which I am also an authorized agent, has filed cross-complaint against Simile and the
16 allegations of Simile are denied and strongly disputed. Green Sage Management has suffered
17 significant monetary damages due to Simile ceasing performing under a contract of which Green
18 Sage Management was in full compliance of its duties.

19 5. I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct, and that this declaration was executed in _____ Vail _____,
21 _____ Colorado _____ this 11th day of January 2022.

22
23 

24 Kenneth Greer
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