

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Raul Aguila, City Attorney 

DATE: July 17, 2019

SUBJECT: **City Attorney's Status Report**

LAWSUITS FILED BY OR AGAINST THE CITY OF MIAMI BEACH SINCE THE LAST REPORT:

- 1.) **BRIANNI BARROSO v. CITY OF MIAMI BEACH** Case No. 2019-015282-CA-01 Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida

The Plaintiff has sued the City alleging that she was improperly terminated in retaliation for filing a Workers Compensation claim. The City will be appropriately defending this claim.

- 2.) **NEW RESIDENTIAL MORTGAGE LLC. v. BORIS MILGRAM; JAMES NORTON; UNKNOWN PARTY IN POSSESSION 1; UNKNOWN PARTY IN POSSESSION 2; UNKNOWN SPOUSE OF BORIS MILGRAM; UNKNOWN SPOUSE OF JAMES NORTON; 5600 CONDOMINIUM ASSOCIATION, INC.; MIAMI-DADE COUNTY CLERK OF COURT; CITY OF MIAMI BEACH, FLORIDA, AN INCORPORATED MUNICIPALITY OF THE STATE OF FLORIDA** Case No. 2019-016032-CA-01 Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida

This is an action to foreclose a mortgage on real property located at 5600 Collins Ave., Apt. 7F, Miami Beach. The Summons and Complaint were served on the City on June 7, 2019.

The City's Answer and Affirmative Defense will be timely filed.

- 3.) **THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES SERIES 2005-7 v. MARIA A. PEREZ et.al.** Case No. 2019-015772-CA-01 Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida

This is an action to foreclose a mortgage on real property located at 13266 SW 43 LN, Miami. The Summons and Complaint were served on the City on June 10, 2019.

The City's Answer and Affirmative Defense will be timely filed.

- 4.) **YUMAIRA AMALIA LOPEZ PORRAS v. THE CITY OF MIAMI BEACH** Case No. 2019-017827 CA-01 Circuit Court of the 11th Judicial Circuit, in and for Miami Dade County, Florida

The City was served with this complaint on June 20, 2019. The Plaintiff (Yumaira Porras) is alleging that on November 1, 2017, while walking upon the sidewalk located between the 72nd and 73rd Street in Miami Beach, she tripped and fell due to a dangerous condition on the sidewalk. The plaintiff is alleging injuries as a result of the fall.

The City shall file its answer, and will propound discovery to the plaintiff.