

# MIAMI BEACH

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

MEMO #

## COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Rafael A. Paz, City Attorney

DocuSigned by:  
*Rafael Paz*  
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DATE: February 9, 2022

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

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

1. **CITIBANK, N.A., AS TRUSTEE FOR CWABS, INC, ASSET-BACKED CERTIFICATES, SERIES 2007-QH1 V. OLGA REYES, ET AL** Case No. 2021-025948-CA-01 (Circuit Court of the Eleventh Judicial Circuit of Florida in and for Miami-Dade County)

This is an action to foreclosure a mortgage on the real property located at 1440 Lenox Avenue, Miami Beach, Florida. The Summons and Verified Complaint were served on the City on January 11, 2022.

The Verified Complaint alleges that the City's lien for unpaid utility bills recorded in the public records in and for Miami-Dade County, Florida is inferior to Plaintiff's interest.

The City's Answer and Affirmative Defenses was timely filed on January 14, 2022.

2. **MYRIAM NACHIMOVSKY V. CITY OF MIAMI BEACH AND DEPARTMENT OF TRANSPORTATION** Case No. 2021-025884-CA-01 (Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, Florida)

This is an action for damages relating to an alleged trip and fall by Plaintiff on April 21, 2019, at 4441 Collins Avenue, Miami Beach. Plaintiff has also sued the Florida Department of Transportation relating to this claim.

3. **RODRIGO BARRIENTOS V MIAMI-DADE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, CITY OF MIAMI BEACH, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA** Case No. 2020-024021-CA-01 (Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, Florida)

This is an action for damages relating to an alleged fall from a bicycle by Plaintiff on July 7, 2019, on the bicycle lane located at or near the Venetian Causeway and Belle Island Avenue, Miami Beach. Plaintiff has also sued Miami-Dade County relating to this claim.

RAP/lr