

# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

MEMO #

## COMMISSION MEMORANDUM

TO: Mayor Steven Meiner and Members of the City Commission

FROM: Rafael A. Paz, City Attorney



DATE: January 31, 2024

SUBJECT: **City Attorney Status Report**

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

1. **JEREMY RIVERA AND VIVIANA GARCIA V CITY OF MIAMI BEACH** Case No. 2023-028801-CA-07 (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 motor vehicle accident that occurred on November 04, 2022, when Plaintiff was driving a vehicle "southbound on 1-95 at or near the intersection of 1-395, in the City of Miami, Miami-Dade County, Florida," when an alleged City of Miami Beach driver named "Anahi Soledad Sanchez," "acting within the course and scope of her employment with the City" collided with Plaintiffs' vehicle. Plaintiff Rivera was driving the vehicle, while Plaintiff Garcia was a passenger in the vehicle.

Plaintiffs' two-count Complaint alleges two claims for negligence against the City. This matter will be defended by the Office of the City Attorney.

2. **LAZARO CABRERA v. CITY OF MIAMI BEACH** Case No. 2022-024087-CA-32 (Circuit Court of the 11<sup>th</sup> Judicial Circuit, in and for Miami-Dade County, Florida)

This is an action for damages brought by Lazaro Cabrera against the City of Miami Beach. Plaintiff claims that on July 5, 2022, a City employee negligently operated a motor vehicle causing a collision with Plaintiff causing bodily injuries. This matter will be defended by the Office of the City Attorney.

3. **THE NETHERLANDS OF SOUTH BEACH CONDOMINIUM ASSOCIATION, INC. a Florida non-profit corporation, and OCEAN CITY VIEW, INC., a Florida corporation v. CITY OF MIAMI BEACH, a Florida municipal corporation, and MIAMI-DADE COUNTY, a political subdivision of the State of Florida** Case No. 2023-023167-CA-09 (Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, Florida)

This is an action for declaratory and injunctive relief against the City and the County brought by a condominium association and a condominium owner seeking the opening of Ocean Drive from 13th Street and 14th Place to vehicular traffic. This matter will be defended by the Office of the City Attorney.

RAP/lr