

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, Acting City Attorney



DATE: May 12, 2021

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

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

1. **MARIA TORRES VS. CITY OF MIAMI BEACH** Case No. 2021-002731-CA-01 (Circuit Court - 11th Judicial Circuit in and for Miami-Dade County, Florida)

The City was served with this complaint on April 15, 2021 alleging that on February 4, 2017, the Plaintiff, Maria Torres, was getting off Bus #150 at approximately 8:10 am, at or about 13th Street, by the post office at or near Washington Avenue and 13th street, Miami Beach when she tripped and fell over a piece of pipe/metal that was protruding from the ground on said premises. Plaintiff is alleging that the City of Miami Beach did not properly maintain the area at issue resulting in the fall and injury.

We shall file our answer and propound discovery to the Plaintiff.

2. **LINDSAY GOLDSTEIN V CITY OF MIAMI BEACH, FLORIDA, A MUNICIPALITY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF FLORIDA,** Case No. 2021-008327-CA-01(Circuit Court - 11th Judicial Circuit in and for Miami-Dade County, Florida)

The City was served with this complaint on April 21, 2021 alleging that on January 28, 2020, the Plaintiff, Lindsay Goldstein, was riding her bicycle on the boardwalk at or near the Decoplage Building located at 100 Lincoln Rd, in Miami Beach when she lost control of her bicycle and fell, and as a result of a significant drop in the area surrounding a palm tree on the boardwalk, sustained serious injuries. Plaintiff is alleging that the City of Miami Beach did not properly maintain the boardwalk at issue resulting in the fall and injury.

We shall file our answer and propound discovery to the Plaintiff.

3. **WASHINGTON AVENUE CONDOMINIUM ASSOCIATION, INC. V. MICHAEL KADOSH; _____, SPOUSE OF MICHAEL KADOSH, IF ANY; JOHN DOE AND JANE DOE, A/K/A ANY AND ALL UNKNOWN TENANTS IN POSSESSION OF THE SUBJECT REAL PROPERTY; AND CITY OF MIAMI BEACH,** Case No. 2021-009505-CC-23 (Circuit Court - 11th Judicial Circuit in and for Miami-Dade County, Florida)

This is an action to foreclose a condominium unit on real property located at 323 Washington Ave, Miami Beach.

The Summons and Complaint were served on the City on April 21, 2021.

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

RAP/lr