

# 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 1, 2023

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

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

1. **EF MORTGAGE LLC, VS. BLUE INTERNATIONAL GROUP, LLC A/K/A BLUE INTERNATIONAL GROUP, LLC; LUCRECIA M. DELMONTE A/K/A LUCRECIA MARIA DEL MONTE; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR LOAN FUNDER LLC, SERIES 31053; CITY OF MAMI BEACH, FLORIDA; UNKNOWN TENANT #1; UNKNOWN TENANT #2; ALL OTHER UNKNOWN PARTIES CLAIMING INTERESTS BY, THROUGH, UNDER, AND AGAINST THE HEREIN NAMED DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD OR ALIVE, WHETHER SAME UNKNOWN PARTIES MAY CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES, GRANTEES, OR OTHER CLAIMANTS** Case No. 2022-022686-CA-01 (Circuit Court of the 11<sup>th</sup> Judicial Circuit, in and for Miami-Dade County, Florida)

This is an action to foreclose a mortgage on real property located at 5757 Alton Rd, Miami Beach, FL. The Summons and Complaint were served on the City on December 7, 2022.

2. **LINDA CZARNECKI V. THE CITY OF MIAMI BEACH**, Case No. 2022-023121-CA- 27 (Circuit Court of the 11<sup>th</sup> Judicial Circuit, in and for Miami-Dade County, Florida)

This is an action for damages claiming negligence by the City of Miami Beach. Plaintiff asserts that she fell and injured herself on a raised utility cover near 1056 17<sup>th</sup> Street.

3. **VARCAMP PROPERTIES, LLC, a Florida Limited Liability company, and JV HOLDINGS 1400, LLC, a Florida Limited Liability Company v. CITY OF MIAMI BEACH** Case No. 2022-024602-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 by property owners asserting a claim pursuant to the Bert J. Harris Act. Plaintiff claims that flooding from the elevated adjoining roadway triggered a loss of economic value to their property allegedly compensable under the Act.

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4. **DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE J.P. MORGAN MORTGAGE ACQUISITION TRUST 2007-CH2 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2007-CH2 V. JENNY C. DEVEREAUX; JFE PRODUCTIONS CORP; VISTA DEL LAGO I CONDOMINIUM ASSOCIATION, INC.; CITY NATIONAL BANK OF FLORIDA; CITY OF MIAMI BEACH, FLORIDA; UNKNOWN TENANT(S) IN POSSESSION #1 AND #2, AND ALL OTHER UNKNOWN PARTIES, ET AL**  
Case No. 2022-024349-CA-08 (Circuit Court of the 11<sup>th</sup> Judicial Circuit, in and for Miami-Dade County, Florida)

This is an action to foreclose a mortgage on real property located at 9915 West Okeechobee Rd, #2-503, Hialeah, FL. The Summons and Complaint were served on the City on January 10, 2023.

RAP/lr