

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
4B242F61639E4B0...

DATE: February 22, 2023

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

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

1. **STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY a/s/o MIGUEL ANGEL MALDONADO V. CITY OF MIAMI BEACH** Case No. 2022-043426-SP-05 (County Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida)

The City was served with this Complaint on December 6, 2022, alleging that on or about August 6, 2021, Paul A. Ozaeta, an employee in the City of Miami Beach Police Department, negligently operated a vehicle that collided with the vehicle of the Plaintiff's subrogor, Miguel Maldonado. Plaintiff alleges that Paul A. Ozaeta was acting within the scope of his employment with the City when the incident occurred. The City has filed its Answer and will respond to Plaintiff's discovery requests and propound its own discovery to the Plaintiff as well.

2. **MEREDITH TRATTLER V. SCHOOL BOARD OF MIAMI-DADE COUNTY, MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS, AND CITY OF MIAMI BEACH** Case No. 2022-020273-CA05 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida)

This is a claim for damages by Meredith Trattler against the City of Miami Beach. Plaintiff asserts that on October 25, 2018, a City of Miami Beach employee negligently operated a school bus that collided with her vehicle, causing her injuries. The Office of the City Attorney will vigorously defend this claim.

3. **JJAB LLC, a Florida limited liability company v. YULIA DRYNKINA; CITY OF MIAMI BEACH, a municipal corporation; AQUA MASTER ASSOCIATION, INC., a Florida not for profit corporation; AQUA ISLANDS HOMES ASSOCIATION, INC., A Florida corporation not for profit; JOHN or JANE DOE as party in possession, if any; and all unknown parties claiming by, through, under or against Defendant(s), whether living or not and whether said unknown parties claim as heirs, devisees, grantees, assignees, lienors, creditors, trustees or in any other capacity claiming by, through, under or against the named Defendant(s)** Case No. 2023-000721-CA-27 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida)

This is an action to quiet title on the real property located at 6120 Allison Island, Miami Beach, FL. The Summons and Complaint to Quiet Title were served on the City on January 31, 2023. The Complaint alleges that the City's lien recorded in

City Attorney Status Report
February 22, 2023
Page 2

the public records in and for Miami-Dade County, Florida is inferior to Plaintiff's interest. The response to the Complaint to Quiet Title will be timely filed.

RAP/lr