



## Town of Miami Lakes Memorandum

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**To:** Honorable Mayor and Councilmembers  
**From:** Raul Gastesi, Esq., Town Attorney  
**Subject:** Attorney Report on Pending Litigation  
**Date:** 10/3/2017

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### **Recommendation:**

There are currently several matters being litigated by the Town of Miami Lakes. Some of these matters are being referred to our insurance carrier to mitigate the Town's legal expense. This report will highlight the active files, and a report of expenses incurred to date.

### **MICHAEL PIZZI JR. v. TOWN OF MIAMI LAKES** **(Criminal Matter)**

This matter is currently being litigated, and substantial legal expenditure is likely. During the month of September invoices totaling \$13,655 were approved and paid to Lydecker Diaz and Associates Law Firm. Additional invoices have been received in the amount of \$18,689.92, but not reviewed for approval.

### **TOWN OF MIAMI LAKES v. PGIT** **(insurance matter)**

The Town has disbursed \$203,208.00 to Trujillo Vargas, of the \$500,000.00 received the previous month from the PGIT settlement.

### **GENERAL LITIGATION**

The following are current miscellaneous matters. There are several routine foreclosures currently being handled, however there are no significant expenditure to report. There are three general matters that are current, and remain from the previous month which include: that some of which include:

### **JUAN VALIENTE v. TOWN OF MIAMI LAKES:**

Currently in litigation. Matter is being handled by the Town's insurance carrier. Additional costs in the coming months are likely. Mr. Valiente's deposition has been set for October 2, 2017.

### **SANCHEZ RADIOLOGY v. TOWN OF MIAMI LAKES:**

Matter remains pending, there has been no activity. The issue in the lawsuit is expected to be moot, as they now have a certificate of occupancy.

**LEMKE v. TOWN OF MIAMI LAKES:**

Matter is undergoing settlement negotiations. There may be some expenditure as matter is wound up