

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF FLORIDA**

**Frantz Pierre  
Plaintiff/Petitioner**

**CASE NO. 1:17-CV-20337**

**Vs.**

**William Serda Deputy City Manager Individual Capacity  
Jose Smith City Attorney Individual Capacity  
Defendant/Respondent**

**SECOND MOTION TO STAY THE ABOVE CAPTIONED CASE  
FOR 90 DAYS DUE TO HEART SURGERY.**

*COMES NOW*, and Plaintiff, Frantz Pierre by and through undersigned counsel and hereby files this motion to stay and in support thereof hereby offers the following:

1. The above captioned case is set for Mediation to be completed before November 16, 2017 Plaintiff filed an amended complaint against defendants in the above captioned case. Scheduled order setting case for trial has been submitted by the court dated May 31, 2017.
2. Plaintiff has underwent quadruple bypass major heart surgery and is still recovering in rehab. Plaintiff is currently bedridden and medically unable to attend mediation or court at this time.
3. Plaintiff is respectfully requesting that the Honorable Court enter an order to stay the cause and all deadlines in the above captioned case for 90 days in order to do mediation and or prepare for trial.
4. Undersigned attorney will continue to update Plaintiff's progress with the Court so that a time-table for his return can be fixed.

**PRAYER FOR RELIEF**

Plaintiff is respectfully requesting an order be entered in the above captioned case to stay the case for 90 days.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was furnished by through the E-Portal to the Clerk of Court for the Southern District of Florida, this 15<sup>th</sup> day of November 2017.

*/s/ Gregory D. Curtis Esq.*

**Gregory D. Curtis Esq.**

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