

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT OF FLORIDA, IN AND FOR MIAMI-DADE COUNTY  
CIVIL DIVISION  
CASE NO. 2018-005155-CA-01 (08)**

**FRANTZ PIERRE, individually and  
in his official capacity as North Miami  
Beach Commissioner,  
Plaintiff,**

**versus**

**CITY OF NORTH MIAMI  
BEACH, FLORIDA, a municipal  
Corporation, and  
PAMELA LATIMORE, solely in  
her official capacity as North  
Miami Beach City Clerk,  
Defendants.**

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**AMENDED EMERGENCY MOTION FOR TEMPORARY  
INJUNCTIVE RELIEF**

Plaintiff Commissioner Frantz Pierre seeks emergency temporary injunctive relief for all the reasons supported by the Emergency Verified Complaint for Declaratory and Injunctive Relief. This motion expressly incorporates the verified facts contained in the Amended Complaint. Absent temporary injunctive relief, the City will appoint a replacement Commissioner in place of the duly elected Commissioner Pierre, whose term does not expire until 2020. The appointment, originally scheduled

for February 22, 2018, was stayed by order of this Court. But the City nonetheless is intending to appoint a replacement at some future time..

- 1) There is a distinct likelihood of success on the merits.
- 2) Plaintiff and the citizens of North Miami Beach will be irreparable harmed without the issuance of emergency relief.
- 3) Plaintiff has no adequate remedy at law.
- 4) The balance of harm favors the Plaintiff.
- 5) Temporary relief will not cause any meaningful harm to the City.
- 6) The public interest favors the granting of a temporary injunction prohibiting the City from appointing a replacement Commissioner, ousting Commissioner Pierre from office, and declaring a vacancy in his office prior to the expiration of his term in November 2020.

VERIFICATION

I declare, under penalty of perjury, that the information contained in this document is true and correct, and that emergency relief is needed, to the best of my knowledge and belief

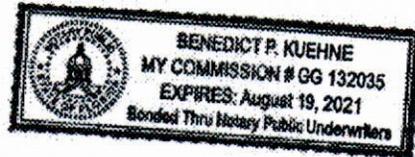
*Frantz Pierre*  
FRANTZ PIERRE

State of Florida  
County of Miami-Dade

Before me personally appeared Frantz Pierre, who is known to me, who was first placed under oath, and who stated that the information contained in this document is true and correct to the best of his knowledge and belief.

Sworn to and subscribed before me on March 17, 2018, by Frantz Pierre, who is personally known.

*Benedict P. Kuhne*  
NOTARY PUBLIC, State of Florida  
BENEDICT P. KUHNE



Respectfully submitted,

*S/ Benedict P. Kuehne*

**BENEDICT P. KUEHNE**

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## CERTIFICATE OF SERVICE

This document was filed using the State of Florida's ePortal Filing System and was served via email through the State of Florida's ePortal Filing System to the following counsel of record on March 19, 2018:

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