

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT OF FLORIDA, IN AND FOR MIAMI-DADE COUNTY
CIVIL DIVISION
CASE NO. 2018-**

**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.**

**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 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 is scheduled for today,

February 22, 2018.

- 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.

Respectfully submitted,

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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 February 22, 2018:

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