

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2023-000618-CA-01
SECTION: CA25
JUDGE: Valerie R. Manno Schurr

Anthony F. DeFillipo

Plaintiff(s)

vs.

CITY OF NORTH MIAMI BEACH

Defendant(s)

**ORDER DENYING PLAINTIFF/COUNTER-PLAINTIFF'S VERIFIED MOTION FOR
EMERGENCY INJUNCTIVE RELIEF**

THIS CAUSE came on before the Court on 11:00 a.m. on Tuesday, January 31, 2023 on Plaintiff/Counter-Defendant, ANTHONY F. DEFILLIPO's ("**DeFillipo**"), *Verified Motion for Emergency Injunctive Relief*, filed January 17, 2023 [D.E. 5] (the "**Emergency Injunction Motion**"), and this Court, having reviewed the Emergency Injunction Motion; having reviewed the Defendant/Counter-Plaintiff, CITY OF NORTH MIAMI BEACH's ("**City**") response in opposition to the Emergency Injunction Motion, filed January 20, 2023 [D.E. 14] ("**Response**"); having reviewed the rest of the file; having heard argument from counsel for the parties; and being otherwise duly advised in the premises, it is, thereupon,


ORDERED AND ADJUDGED that:

1. The only relief DeFillipo sought in his Emergency Injunction Motion [D.E. 5] was for this Court to "enter an Order declaring that the City may call an Emergency Meeting with four (4) members, as opposed to five (5) members of the Commission for the purpose of conducting City Business as provided in the "Charter."
2. The Emergency Injunction Motion is DENIED for the reasons the City articulated in its

Response and argued on the record during the January 31, 2023 hearing.

3. The Court takes under advisement the request to enter an order requiring the City of North Miami Beach Commissioners to attend the next (February 21, 2023) regularly scheduled North Miami Beach commission meeting.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 31st day of January, 2023.

2023-000618-CA-01 01-31-2023 4:30 PM

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Hon. Valerie R. Manno Schurr
CIRCUIT COURT JUDGE
Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

Electronically Served:

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