

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

**CIRCUIT CIVIL DIVISION**

**ANTHONY F. DEFILLIPO**, In his Official  
Capacity as Mayor, North Miami Beach, Florida,

CASE NO.: **2023-00618 CA (01)**  
Division (25)

Plaintiff,

vs.

**CITY OF NORTH MIAMI BEACH,**

Defendant.

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**PLAINTIFF'S EMERGENCY MOTION TO COMPEL  
COMMISSIONERS ATTENDANCE AT COMMISSION MEETING  
OR TO REDUCE QUORUM TO CONDUCT EMERGENCY BUSINESS**

Plaintiff, ANTHONY F. DEFILLIPO, by and through undersigned counsel, hereby files this Emergency Motion to Compel Commissioners to Attend Commission Meetings or to Reduce Quorum to Conduct Emergency Business, and states as follows:

1. In open defiance of this Court's order starting the meeting of February 21st should go forward, at the direction of the City Attorney, three commissioners refused to attend the meeting last evening;
2. The result was an evening of public outcry as the City of North Miami beach has been shut down for yet another month;
3. Two commissioners did not show up at all, with one, Michael Joseph (who is no longer a commissioner by operation of law) stating that he will not attend any meetings that the Mayor attends regardless of any orders entered by the Court.

4. A third commission was present and got up and left before the meeting started.
5. Hundreds of angry residents, attorneys, vendors who spent time and in some cases money to attend the meeting, both in person or virtually, were sent home for the fourth consecutive month.
6. This City has a crisis as they have now gone months without their government meeting. Items such as insurance rates, public safety, land use matters simply cannot go another day without being addressed.
- 7, The three commissioners and the city attorney have now completely abandoned their oath to the taxpayers and have completely ignored and/or openly defied this Court's order stating that meeting needed to go forward.

Wherefore, it is requested that this Court order that a meeting be held of the City within the next five (5) days and that all commissioners (employees of the City) are ordered to attend.

Respectfully submitted,

*/s Michael A. Pizzi, Jr*

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## CERTIFICATE OF SERVICE

*I HEREBY CERTIFY that on **February 22, 2023**, we electronically filed the foregoing document with the Clerk of the Court using Florida Courts eFiling Portal. We also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified via transmission of Notices of Electronic Filing generated by Florida Courts eFiling Portal or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.*

*/s Michael A. Pizzi, Jr*

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