

8/8/23 Litigation Report – Request for Authority to Initiate or Defend

This list does not include the following types of cases: (1) Workers’ Comp (OJCC); (2) garnishments, (3) foreclosures, (4) Probate, (5) misdemeanor citations, (6) any bankruptcy cases that might involve debts owed to Alachua County; or (7) employee procedures and Collective Bargaining Agreements.

<u>No.</u>	<u>Case Style</u>	<u>Attorney(s)</u>
1.	Thomas S. Shigo, Jr, Trustee of Land Trust No. 17601 dated 11/9/22, and Michael Olender, Appellants, v. Alachua County, Appellee Case #2023-AP-4	Diana Johnson Corbin Hanson

The County Attorney seeks authority for her designee to defend an appeal filed in Circuit Court by Thomas S. Shigo, Jr., Trustee of Land Trust No 17601 dated 11/9/22 and Michael Olender against Alachua County concerning a code enforcement order (SM23-012). Such order found the Appellants and the property located at 17601 Veterans Way, Micanopy (“property”) in violation of certain sections of the Alachua County Code. In general, the nature of the violations was unauthorized removal of regulated and heritage trees. In code action, the Respondents failed to comply with the Stop Work Order issued by the County, or to obtain the necessary approvals. Under Alachua County Code 21.41(e), the County Attorney is able to prosecute and defend all legal action by and against the County as approved by the Board. Additionally, the County Attorney is authorized and directed to take such action as to protect the rights of the County in any legal action, pending an opportunity to request required approval of the Board.

2.	Jamar Williams, Appellant, v. Alachua County, Appellee – Case #2023-AP-3	Diana Johnson Corbin Hanson
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The County Attorney seeks authority for her designee to defend an appeal filed in Circuit Court by Jamar Williams against Alachua County. In accordance with Chapter 72 of the Alachua County Code, a hearing was held before a Hearing Officer, and a final determination was made, upholding the County’s determination that dogs owned by Mr. Williams are ‘dangerous dogs,’ as defined by State law and Alachua County Code. Mr. Williams then filed a Petition for Writ of Certiorari in Circuit Court, appealing the Hearing Officer’s determination. Under Alachua County Code 21.41(e), the County Attorney is able to prosecute and defend all legal action by and against the County as approved by the Board. Additionally, the County Attorney is authorized and directed to take such action as to protect the rights of the County in any legal action, pending an opportunity to request required approval of the Board.

3.	Alachua County, Plaintiff, v. Christopher Silva, Defendant – Case #2023-CA-3423	Diana Johnson
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The County Attorney seeks authority for her designee to file an action against Christopher Silva for his failure to comply with the requirements of Chapter 72, Alachua County Code concerning aggressive dogs. Mr. Silva is the owner of several dogs who have been classified as aggressive dogs. Despite good faith efforts to educate and get Mr. Silva to comply with the requirements, Mr. Silva has failed to comply with the code requirements. Violation of any provision of the Alachua County Code may be enforced through various means, including bringing a civil action. Under

Alachua County Code 21.41(e), the County Attorney is able to prosecute and defend all legal action by and against the County as approved by the Board. Due to public safety concern this action may be filed prior to approval of this agenda item by the Board. The County Attorney is authorized and directed to take such action as to protect the rights of the County in any legal action, pending an opportunity to request required approval of the Board.

4. Dawn Elizabeth Pettit, POA, Charlotte B. Campbell, Plaintiffs, v. Alachua County, Alachua County Property Appraiser Office, Alachua County Tax Collector Office, Ayesha Solomon, and John Power, Defendants.
U.S. District Court Case #1:23cv159-AW-MAF
- Robert C. Swain
Margo DuVal

The County Attorney seeks authority for her designee to defend Alachua County's interests in this case. This pro se action was filed on 6/20/23 by Dawn Elizabeth Pettit for Charlotte B. Campbell, in the form of a Civil Rights Complaint for Injunctive Relief, Trial by Jury Demand, and Federal Question Sworn Complaint. The 95-page Complaint sets out 13 causes of action against the named defendants, and argues that property tax assessments on properties owned by Charlotte Campbell, including a tax lien, are unconstitutional and a violation of the plaintiff's civil rights. Under Alachua County Code 21.41(e), the County Attorney is able to prosecute and defend all legal action by and against the County as approved by the Board. Additionally, the County Attorney is authorized and directed to take such action as to protect the rights of the County in any legal action, pending an opportunity to request required approval of the Board.

5. Edward Lee Anderson, Plaintiff, v. Alachua County, Defendant – Case #2023-CA-1320
- Robert C. Swain
Diana Johnson

The County Attorney seeks authority for her designee to defend Alachua County's interests in this case. This case stems from a motor vehicle accident that occurred on November 30, 2022, involving vehicles operated by the Plaintiff and an employee of Alachua County Fire Rescue. The Plaintiff is alleging personal injuries caused by the accident. Alachua County was served with an Amended Complaint on July 20, 2023. Under Alachua County Code 21.41(e), the County Attorney is able to prosecute and defend all legal action by and against the County as approved by the Board. Additionally, the County Attorney is authorized and directed to take such action as to protect the rights of the County in any legal action, pending an opportunity to request required approval of the Board.

6. Alyson Boland, Plaintiff, vs. David Wang and Alachua County, Defendants – Case #2023-CA-1543
- Robert C. Swain
Diana Johnson

The County Attorney seeks authority for her designee to defend Alachua County's interests in this case. This case stems from a motor vehicle accident that occurred on June 2, 2022, involving vehicles operated by the Plaintiff, David Wang, and an employee of Alachua County Fire Rescue. The Plaintiff is alleging personal injuries caused by the accident. Alachua County was served with a Complaint on July 24, 2023. Under Alachua County Code 21.41(e), the County Attorney is able to prosecute and defend all legal action by and against the County as approved by the Board. Additionally, the County Attorney is authorized and directed to take such action as to protect the rights of the County in any legal action, pending an opportunity to request required approval of the Board.