

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

CIRCUIT CIVIL DIVISION

FLORIDA EDUCATION ASSOCIATION;)
STEFANIE BETH MILLER; LADARA)
ROYAL; MINDY FESTGE; VICTORIA)
DUBLINO-HENJES; and, ANDRES HENJES,)

Plaintiffs,)

vs.)

RON DESANTIS, in his official capacity as)
Governor of the State of Florida; RICHARD)
CORCORAN, in his official capacity as Florida)
Commissioner of Education; FLORIDA)
DEPARTMENT OF EDUCATION; FLORIDA)
BOARD OF EDUCATION; CARLOS)
GIMENEZ, in his official capacity)
as Mayor of Miami-Dade County,)

Case No. 2020-015211 CA (24)

Defendants.)

_____)

PLAINTIFFS' EMERGENCY MOTION FOR STATUS CONFERENCE

Plaintiffs the FLORIDA EDUCATION ASSOCIATION, STEFANIE BETH MILLER, LADARA ROYAL, MINDY FESTGE, VICTORIA DUBLINO-HENJES, and ANDRES HENJES, by and through undersigned counsel, moves this Court on an emergency basis for a status conference to address scheduling in this matter, including the Plaintiffs' motion to compel expedited mediation and the Plaintiffs' forthcoming motion for temporary injunctive relief.

1. On July 20, 2020, Plaintiffs filed their Complaint for declaratory and injunctive relief against Defendants to prevent the unsafe reopening of brick and mortar public schools during the current resurgence of COVID-19.

2. On July 27, 2020, Plaintiffs filed their Motion to Compel Expedited Mediation so the parties may come together to resolve the issues in this litigation.

3. Florida's public schools are scheduled to begin re-opening brick and mortar locations on August 10, 2020, with all schools expected to be open by August 31, 2020.

4. Due to the urgent nature of the unresolved matters in this case, including, but not limited to, the increased community spread of COVID-19, illness, hospitalizations, and possible deaths that will result from the mandated physical reopening of schools across the state in just a few days, the Plaintiffs move this Court, on an emergency basis, for a status conference no later than **August 5, 2020**.

5. Plaintiffs' counsel has conferred with counsel for the Defendants and counsel for Mayor Gimenez does not oppose the relief sought in this Motion. Counsel for the Governor, Commissioner Corcoran, the Department of Education, and the Board of Education agree to a status conference on August 4, 2020 or later.

Dated: July 29, 2020

Respectfully submitted,

COFFEY BURLINGTON, P.L.
2601 South Bayshore Drive, Penthouse
Miami, FL 33133
Telephone: (305) 858-2900

By: /s/ Kendall Coffey
Kendall B. Coffey, FBN 259861
Josefina M. Aguila, FBN 0119719
Scott A. Hiaasen, FBN 103318
kcoffey@coffeyburlington.com
jaguila@coffeyburlington.com
shiaasen@coffeyburlington.com
yvb@coffeyburlington.com
lperez@coffeyburlington.com
service@coffeyburlington.com

MEYER, BROOKS, BLOHM & HEARN, P.A.
131 North Gadsden Street
Tallahassee, FL 32301
Telephone: (850) 878-5212

By: /s/ Ronald G. Meyer

Ronald G. Meyer, FBN 148248
rmeyer@meyerbrookslaw.com

Kimberly C. Menchion, General Counsel
FLORIDA EDUCATION ASSOCIATION
213 South Adams Street
Tallahassee, FL 32301
Telephone: (850) 224-7818

By: /s/ Kimberly C. Menchion

Kimberly C. Menchion, FBN 425613
kimberly.menchion@floridaea.org

PHILLIPS, RICHARD & RIND, P.A.
9360 S.W. 72nd Street, Suite 283
Miami FL 33173-3283
Telephone: (305) 412-8322

By: /s/ Lucia Piva

Lucia Piva, FBN 119340
Mark Richard, FBN 305979
Kathleen M. Phillips, FBN 287873
lpiva@phillipsrichard.com
mrichard@phillipsrichard.com
kphillips@phillipsrichard.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I certify that the foregoing document has been furnished by the Florida Courts e-filing Portal pursuant to Fla. R. Jud. Admin. 2.516(b)(1), this 29th day of July, 2020, to the following:

Angel A. Cortiñas, Esq.

acortinas@gunster.com

nsalazar@gunster.com

eservice@gunster.com

Jonathan H. Kaskel, Esq.

jkaskel@gunster.com

nsalazar@gunster.com

GUNSTER

The DuPont Building

600 Brickell Avenue, Suite 3500

Miami, Florida 33131

Telephone: (305) 376-6000

Counsel for Defendants

By: /s/ Kendall B. Coffey