

Florida Real Property and Business Litigation Report
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Manuel Farach

Brucker v. City of Doraville, Case No. 21-10122 (11th Cir. 2022).

It is not unconstitutional for a municipality to base its annual budget on the collection of code enforcement and traffic fines.

Tallo v. Illes, Case No. 3D21-1206 (Fla. 3d DCA 2022).

A proper predicate must be laid before a non-party is compelled to turn over personal financial information, even if the request to produce is post-judgment and the requested party is the spouse of the judgment debtor.

City of Miami v. Cruz, Case No. 3D21-2424 (Fla. 3d DCA 2022).

A municipality waive sovereign immunity for breaches arising out of express contracts it entered, including settlement agreements.

Karisma Hotels & Resorts Corporation Ltd. v. Hoffmann, Case No. 4D22-729 (Fla. 4th DCA 2022).

A party seeking a protective order under the Apex Doctrine of Florida Rule of Civil Procedure 1.280(h) must file an affidavit that explains that the officer “lacks unique, personal knowledge of the issues being litigated.”

Lexington Place Condominium Association, Inc. v. Flint, Case No. 5D21-2644 (Fla. 5th DCA 2022).

Eliminating an existing dog park and a wallyball court constitute material alterations to the common elements for which Florida Statute section 718.113(2)(a) requires member approval, even if the Declaration of Condominium arguably allows alteration without member approval.