

IN THE CIRCUIT COURT OF THE 11TH  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION

CASE NO.: 2022-06722-CA-01 (21)

CITY OF CORAL GABLES,  
a Florida municipal corporation,

Plaintiff,

vs.

CORAL GRAND, LLC, a Florida  
limited liability company, and  
CORAL GABLES ATHLETIC CLUB, LP,  
a Florida limited partnership

Defendants.

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**JOINT MOTION FOR LEAVE TO CANCEL SPECIAL SET EVIDENTIARY HEARING**

The Plaintiff, City of Coral Gables (“**City**” or “**Landlord**”) and Defendants, CORAL GRAND, LLC’s (“**Coral Grand**” or “**Tenant**”) and CORAL GABLES ATHLETIC CLUB, LP’s (“**Athletic Club**” or “**Sub-Tenant**,” and, together with Coral Grand, “**Defendants**”) jointly seek leave of Court to cancel the upcoming specially set three-hour evidentiary hearing scheduled for Thursday, April 21, 2022 at 1:00 p.m., and as grounds therefore state:

1. On April 13, 2021, Defendants filed an Emergency Motion to Dissolve *Ex Parte* Temporary Injunction Appointing Receiver (the “**Emergency Motion**”).
2. Since Friday, April 15, 2022, the Parties, through their respective businesspersons, have been in ongoing discussions in an effort to achieve an amicable resolution of this litigation.
3. The Parties have reached an agreement in principle on essential terms that is subject to appropriate documentation, as well as approval and ratification by the City Commission.

4. The Parties have already exchanged an initial draft of a Settlement Agreement and Release, but have not finalized or executed same.

5. The City Commission is next scheduled to meet on Tuesday, April 26, 2022 at which time the settlement will be brought for a vote. If approved, the settlement will fully and finally resolve the entire litigation, inclusive of the Emergency Motion.

6. Until such time as the settlement is brought for a vote before the City Commission, the Parties have agreed to leave the receivership in place, undisturbed. Further, if an affirmative vote for the settlement is obtained, the Receiver will continue to oversee the winding down of operations and peaceful turnover of the Country Club on May 2, 2022 at 10:00 a.m.

7. Accordingly, the Parties request leave of Court to cancel the Evidentiary Hearing to avoid wasting this Court's valuable time and resources.

8. Should the settlement not be approved by the City Commission on April 26, 2022, then the Defendants reserve the right to reschedule the Emergency Motion for coordinated evidentiary hearing as soon as practically possible.

9. This motion is brought in good faith by the Parties and not for any dilatory reasons.

WHEREFORE, Plaintiff and Defendants jointly request this Court grant them leave and cancel the 3-hour specially set evidentiary hearing scheduled for Thursday, April 21, 2022 at 1:00 p.m. on the Defendants' Emergency Motion to Dissolve, and such other and further relief that this Court deems just and proper.

Dated: April 21, 2022.

Respectfully submitted,

HOLLAND & KNIGHT LLP  
*Counsel for Plaintiff*  
701 Brickell Avenue, Suite 3300  
Miami, FL 33131  
Tel. 305.374.8500  
Direct fax: 305.789.7799

THE REYES LAW FIRM, P.A.  
*Co-Counsel for Plaintiff*  
343 Alcazar Avenue  
Coral Gables, Florida 33134  
Tel: (305) 403-2272  
Fax: (305) 403-2273

By: s/Anna Marie Gamez  
Anna Marie Gamez (FBN 502911)  
Email: [annie.hernandezgamez@hkclaw.com](mailto:annie.hernandezgamez@hkclaw.com)  
Oliver G. Silva (FBN 1024669)  
Email: [oliver.silva@hkclaw.com](mailto:oliver.silva@hkclaw.com)

By: /s/ Israel Reyes  
ISRAEL REYES (FBN: 47627)  
[ireyes@reyeslawfirm.com](mailto:ireyes@reyeslawfirm.com)  
[slorie@reyeslawfirm.com](mailto:slorie@reyeslawfirm.com)  
CHRISTOPHER REYES (FBN: 94301)  
[creyes@reyeslawfirm.com](mailto:creyes@reyeslawfirm.com)

/s/ Miriam Soler Ramos  
CITY OF CORAL GABLES  
Miriam Soler Ramos  
FBN 581348  
Cristina Suarez  
FBN 29614  
City of Coral Gables  
405 Biltmore Way, 2nd Floor  
Coral Gables, FL 33134  
Tel: (305) 460-5218  
Fax: (305) 460-5264  
Florida Bar Number 581348  
[mramos@coralgables.com](mailto:mramos@coralgables.com)  
[csuarez@coralgables.com](mailto:csuarez@coralgables.com)

/s/davidwinker/  
DAVID J. WINKER, P.A.  
David Winker, Esq., B.C.S.  
Fla. Bar No. 73148  
4270 S. LeJeune Road  
Coral Gables, FL 33146  
Tel: (305) 801-8700  
[dwinker@dwlrc.com](mailto:dwinker@dwlrc.com)  
*Counsel for Defendants*

/s/ Bruce Jacobs  
JACOBS LEGAL, PLLC  
Bruce Jacobs, Esq.  
Florida Bar No. 116203  
Alfred I. DuPont Building  
169 East Flagler Street, Suite 1620  
Miami, Florida 33131  
Tel (305) 358-7991  
Fax (305) 358-7992  
[efile@jakelegal.com](mailto:efile@jakelegal.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was electronically filed with the Clerk of the Court using the E-Filing Portal System and that on April 21, 2022, a true and correct copy of the foregoing was served on all parties listed below.

NELSON MULLINS RILEY &  
SCARBOROUGH  
Erin K. Kolmansberger  
[erin.kolmansberger@nelsonmullins.com](mailto:erin.kolmansberger@nelsonmullins.com)  
[stacy.smith@nelsonmullins.com](mailto:stacy.smith@nelsonmullins.com)  
Kimberly J. Freedman  
[kimberly.freedman@nelsonmullins.com](mailto:kimberly.freedman@nelsonmullins.com)  
[yusimy.bordes@nelsonmullins.com](mailto:yusimy.bordes@nelsonmullins.com)  
Samuel Ludington Esq.  
[Sam.Ludington@nelsonmullins.com](mailto:Sam.Ludington@nelsonmullins.com)  
[Claudia.Orozco@nelsonmullins.com](mailto:Claudia.Orozco@nelsonmullins.com)  
2 South Biscayne Boulevard  
21st Floor  
Miami, FL 33131  
Tel: 305.373.9400  
*Counsel for Receiver*

THE REYES LAW FIRM, P.A.  
Israel Reyes  
Christopher Reyes  
343 Alcazar Avenue  
Coral Gables, Florida 33134  
Tel: 305.403.2272  
Fax: 305.403.2273  
[ireyes@reyeslawfirm.com](mailto:ireyes@reyeslawfirm.com)  
[creyes@reyeslawfirm.com](mailto:creyes@reyeslawfirm.com)  
[slorie@reyeslawfirm.com](mailto:slorie@reyeslawfirm.com)  
*Co-Counsel for Plaintiff*

CITY OF CORAL GABLES  
Miriam Soler Ramos  
405 Biltmore Way, 2nd Floor  
Coral Gables, FL 33134  
Tel: (305) 460-5218  
[mramos@coralgables.com](mailto:mramos@coralgables.com)

DAVID J. WINKER, P.A.  
David Winker, Esq.  
4270 S. LeJeune Road  
Coral Gables, FL 33146  
Tel: (305) 801-8700  
[dwinker@dwlrc.com](mailto:dwinker@dwlrc.com)  
*Counsel for Defendants*

JACOBS LEGAL, PLLC  
Bruce Jacobs, Esq.  
Alfred I. DuPont Building  
169 East Flagler Street, Suite 1620  
Miami, Florida 33131  
Tel (305) 358-7991  
Fax (305) 358-7992  
[efile@jakelegal.com](mailto:efile@jakelegal.com)

By: /s/Anna Marie Gamez  
Anna Marie Gamez