

Office of Superintendent of Schools  
Board Meeting of November 17, 1999

November 4, 1999

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: PROVISION OF DEFENSE COUNSEL FOR PHYLLIS O. DOUGLAS AND CARLOS E. MUSTELIER IN THE CASE OF MAURICE CHERRY v. MIAMI-DADE COUNTY AND SCHOOL BOARD OF DADE COUNTY, ET AL, Circuit Court Case No. 99-24482 CA 27**

The above styled lawsuit was filed in the Eleventh Judicial Circuit in Miami-Dade County, Florida and served October 26, 1999, on Mr. Carlos E. Mustelier Jr. and on the Miami-Dade County Public Schools, and October 28, 1999, on Ms. Phyllis O. Douglas. The lawsuit alleges that the Plaintiff, a former security monitor who was dismissed from employment and subsequently appealed unsuccessfully, has been deprived of various constitutional rights due to false accusations made at the administrative hearing.

We do not believe that the lawsuit has merit and are requesting that the School Board, pursuant to the authority vested in it under § 230.234, Florida Statutes (1997), authorize a legal defense for the two individually sued Defendants, Ms. Douglas and Mr. Mustelier. We intend to provide outside counsel for Ms. Douglas and Mr. Mustelier

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Office of the School Board Attorney to provide outside counsel for the defense of Phyllis O. Douglas and Carlos E. Mustelier in the Case of Maurice Cherry v. Miami-Dade County and School Board of Dade County, et al, Circuit Court Case No. 99-24482 CA 27.

JB/CEM

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