

Office of Superintendent of Schools
Board Meeting of June 16, 2004

June 2, 2004

Office of School Board Attorney
Johnny Brown, Board Attorney

**SUBJECT: PROVISION OF DEFENSE COUNSEL TO MS. ROSALIE M. POYNTZ IN
THE CASE OF Miguel Olba v. Dade County School Board Roselyn Poyntz, and
Cecil Gabriel, Circuit Case No. 04-11090-CA-27**

The above styled lawsuit was filed in the State Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida and served on May 19, 2004, on Ms. Rosalie M. Poyntz, Health Science Education department chairperson at Lindsey Hopkins Technical Education Center. Plaintiff's Complaint includes claims for, among other things, slander and intentional infliction of emotional distress.

The acts alleged in the Complaint to have been committed by Defendant arose out of and in the course of the performance of Ms. Poyntz assigned duties and responsibilities as a vocational education teacher and department chairperson. Ms. Poyntz submitted her suit papers to the School Board Attorney's Office with the request that the School Board provide her with legal counsel in this case. Pursuant to School Board Rule 6Gx13-1C-1.02 and the authority under § 1012.26, Fla. Stat. (2003), we are requesting that the School Board authorize the provision of legal representation for Ms. Poyntz.

In the interim and prior to the Board meeting, our office will be filing the necessary papers in State court to protect Ms. Poyntz legal interests.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Office of the School Board Attorney to provide for the defense of Ms. Rosalie M. Poyntz of Miguel Olba v. Dade County School Board Roselyn Poyntz, and Cecil Gabriel, Circuit Case No. 04-11090-CA-27.