

Agustin J. Barrera, Chairman

SUBJECT: THAT THE SCHOOL BOARD DIRECT THE BOARD ATTORNEY TO TAKE SUCH APPROPRIATE ACTION, AS SPECIFIED BY THE BOARD, IN THE CASE OF CASE OF MARTA PÉREZ v. RUDOLPH F. CREW, and THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, CIRCUIT COURT CASE NO. 07-156-CA-02

On March 1, 2007, the School Board was served the Summons and Amended Complaint in the above-referenced case. In order to prevent any legal exposure to the Board, a response to this lawsuit is required by March 21, 2007. The Plaintiff in this matter is a current Board member and the Superintendent of Schools is a co-Defendant (previously, the original Defendant in the action).

Since this matter involves issues regarding the authority to place matters on the Board Agenda, and other issues that may have an ultimate impact on the School Board, the Board Attorney requested an Attorney-Client session, which was scheduled to take place prior to this Special meeting. The purpose of the Attorney-Client session was to advise the Board on strategy regarding this pending litigation.

Since the Board is required to submit a response to this lawsuit by March 21, 2007, it is necessary to seek the Board's position and direction to enable the Board Attorney to file responses and other appropriate and legal defenses on behalf of the Board.

ACTION PROPOSED BY

CHAIRMAN AGUSTIN J. BARRERA: That The School Board of Miami-Dade County, Florida direct the Board Attorney to take such appropriate action, as specified by the Board, in the case of Marta Pérez v. Rudolph F. Crew, and The School Board of Miami-Dade County, Florida, Circuit Court Case No. 07-156-CA-02.

SP-2