

Office of Superintendent of Schools
Board Meeting of December 13, 2000

November 29, 2000

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: PROVISION OF LEGAL DEFENSE FOR JAMES PARKER AND JOHN LEYVA IN THE CASE OF ELAINE MASSON v. THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, ET. AL., UNITED STATES DISTRICT COURT CASE NO. 00-7685-CIV-LENARD

The above styled lawsuit was filed in the United States Court, Southern District of Florida, Miami Division, and service has been perfected upon the School Board. It is anticipated that James Parker and John Leyva will be served within ten (10) days. The lawsuit alleges that the Defendants retaliated against the Plaintiff after she exercised her First Amendment freedom of speech rights.

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 (1999), authorize a legal defense for Mr. Parker and Mr. Leyva.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Office of the School Board Attorney to provide for the legal defense of James Parker and John Leyva in the case of Elaine Masson v. The School Board of Miami-Dade County, Florida, et. al., U.S.D.C. Case No. 00-7685-CIV-LENARD.

TAP/pyc

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