

Office of the General Counsel
Walter J. Harvey, General Counsel

SUBJECT: PROVISION OF LEGAL REPRESENTATION FOR THE FOLLOWING MATTERS: Direct General Insurance as Subrogee of Allan Vivas Rivera v. School Board of Miami Dade County and Xavier Eduardo Perez, County Court Case No. 2026-094620-CC-23 and Aimee Diaz v. School Board of Miami-Dade County and Luis E. Suarez Alvarez, Circuit Court Case No. 2026-12567-CA-01

On August 11, 2026, The Office of the General Counsel was notified that an employee of the District was individually named as a defendant and served with the lawsuit in the matter of Direct General Insurance as Subrogee of Allan Vivas Rivera v. School Board of Miami Dade County and Xavier Eduardo Perez, County Court Case No. 2026-094620-CC-23. The School Board is also listed as a Defendant but has yet to be served with the lawsuit. The lawsuit alleges that the District employee negligently operated a vehicle owned by the District causing an accident. In the matter of Aimee Diaz v. School Board of Miami-Dade County and Luis E. Suarez Alvarez, Circuit Court Case No. 2026-12567-CA-01, the lawsuit also contains similar allegations concerning a District owned vehicle that was involved in an accident and asserts negligence claims against the individually-named District employee. The acts alleged against the individually-named employee Defendants in these cases arose within the course and scope, and in the performance of the employees' assigned duties and responsibilities as employees of the District.

In accordance with the District's established practice, the District employees, who are individually-named as a Defendants in these two lawsuits, have formally requested that the School Board provide them with legal representation. Accordingly, pursuant to School Board Policy 6900, *Legal Services for Employees of the Board*, and § 1012.26, Florida Statutes (2025), the General Counsel requests that the School Board authorize the provision of legal representation for these District employees. In the interim, the Office of the General Counsel has and will continue to file the necessary documents with the Court to protect the employees' and the School Board's legal interests. Should the School Board's interests conflict with those of the District employees at any point in the litigation, separate legal representation will be sought on the District employees' behalf.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Office of the General Counsel to provide or secure legal representation for the legal defense of the School Board employees who are individually-named as Defendants in the cases of Direct General Insurance as Subrogee of Allan Vivas Rivera v. School Board of Miami Dade County and Xavier Eduardo Perez, County Court Case No. 2026-094620-CC-23, and Aimee Diaz v. School Board of Miami-Dade County and Luis E. Suarez Alvarez, Circuit Court Case No. 2026-12567.