

City, Court and case #	Case Name and History	Issues raised by P and/or Relief sought	Status	Other
Apopka 9 th Circuit 2009-CA-030962-O	<u>Swanson v. City & ATS</u> 9-30-09 class action filed 11-18-09 ATS filed Motion to Dismiss, Motion for more definitive statement and Motion to Strike 11-19-09 City filed Motion to Dismiss	Challenges: Preemption -- <ul style="list-style-type: none"> ▪ ch 316 traffic control law ▪ ch 318 disp of traffic tickets Unjust enrichment Tort of conversion Malicious prosecution/abuse of process Injunctive/declaratory relief		P's counsel is the same S. Florida attorney who has filed multiple class action cases in the state (Jason Weisser). Complaints filed by Mr. Weisser are more or less boilerplate; however, some early filings contained a civil rights claim (Orlando) and more recent filings do not. ATS attorney same as Ocoee and Lakeland (Amanda Sansone); City's attorney is Scott Pendley (same as Apopka 2 and Ocoee).
Apopka 2 10 th circuit 2009-CA 36472	<u>Hinckley v. City & ATS</u> 11-20-09 class action filed 3-5-10 ATS accepted service and will file response 3-29-10 3-26-10 P filed motion to extend time for service	Challenges: Declaratory judgment Injunction Unjust enrichment		P's attorney is Jack Townsend (same as Temple Terrace law suit); ATS attorney is Amanda Sansone. City's attorney, Scott Pendley.

<p>Aventura 11th Circuit* 09-12736CA01</p>	<p><u>Masone v. City & ATS</u> 2-18-09 Single Plaintiff (Masone) complaint served 3-10-09 City filed response 7-16-09 City filed Motion for SJ 10-19-09 P filed Cross Motion for SJ 11-4-09 City filed Response to Cross Motion 11-10-09 Hearing on bilateral motions for SJ; ct disp'd w/out prejudice 12-4-09 Notice of hearing issued 1-13-10 City's Motion for Reconsideration granted; Judge (Bagley) agreed to rule on the city's and P's Motions for SJ following additional briefing 1-27-10 Notice of hearing 2-13-10 briefs due 2-17-10 Hearing 2-22-10 Court granted P's motion for SJ 2-28-10 Order issued 3-9-10 City filed Motion for Rehearing and/or to Reconsider 3-24-10 Order denying Motion for Reconsideration 3-25-10 Order granting City's motion to stay pending appeal</p>	<p>Preemption challenges:</p> <ul style="list-style-type: none"> ▪ ch 316 traffic control law ▪ ch 318 disp of traffic tickets 	<p>1-13-10 Motion to reconsider granted; 2-13-10 P and D briefs due; ruling to be made at a hearing before the end of February.</p> <p>City will appeal once a final order is released in this case.</p>	<p>Plaintiff's attorney is a South Florida lawyer doing business as the "Ticket Cricket" (Brett Luskin). City's attorney is Michael Popok (Weiss Serota Helfman).</p>
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<p>Aventura 2 11th Circuit* 09-70721CA24</p>	<p><u>Burstyn/Fox v. City & ATS</u> 9-25-09 Class action styled Fox v. City & ATS filed (circuit court) 11-10-09 Motion to Dismiss filed by City (case style changed) 11-16-09 ATS filed Motion for more definitive statement 12-1-09 Notice of hearing (looks like it is set for 1-5-10) 1-5-10 Order of transfer (reassignment to Silverman)</p>	<p>Challenges: Preemption --</p> <ul style="list-style-type: none"> ▪ ch 316 traffic control law ▪ ch 318 disp of traffic tickets <p>Unjust enrichment Tort of conversion Malicious prosecution/abuse of process Injunctive/declaratory relief</p>		<p>This case was initially filed in Federal Court and was dismissed (9-28-09). P then filed the case in state court and did NOT include the civil rights action that was in the federal complaint. P's attorney is Jason Weisser.</p>
<p>Bradenton 12th Circuit 2009CA013105</p>	<p><u>Rosenburg v. City & ATS</u> 12-28-09 Class action filed naming wrong vendor D 1-14-10 Complaint amended naming correct D (ACS) 2-17-10 City filed Motion to Dismiss or Motion for More Definitive Statement 3-4-10 ACS filed Motion to Dismiss</p>	<p>Challenges: Preemption --</p> <ul style="list-style-type: none"> ▪ ch 316 traffic control law ▪ ch 318 disp of traffic tickets <p>Unjust enrichment Tort of conversion Malicious prosecution/abuse of process Injunctive/declaratory relief</p>		<p>Access docket at manateeclerk.org P's attorney is Weisser' City's provider is ACS (not ATS); corrected complaint issued 1-14-10 Ds' attorney, Alan Zimmer (City) and Charles Wachler (ACS)</p>

<p>Brooksville 5th Circuit CA2009-003923</p>	<p><u>Sather v. City & ATS</u> 11-2-09 Complaint filed 1-11-10 Order granting Ds' Motion for Ext of Time 1-26-10 D filed Motion to Dismiss, Motion to Strike, request for OA 2-16-10 P Motion for Enlargement of Time (motion granted 2-17) 2-18-10 D filed Motion to Dismiss or for more def statement 3-8-10 P Motion for leave to file 23 page memo and response to MTD 3-11-10 P Motion for enlargement of time granted 3-30-10 P filed Response on Motion to Dismiss 3-30-10 Agreed order on Ds' motion to strike P's Motion for attys fees</p>	<p>No information available</p>		<p>Access docket at Hernandoclerk.com; courts; civil and small claims P's attorney is Weisser City's attorneys are Jennifer Rey and Donovan Roper; ATS attorney is Samuel Salari (same as Temple Terrace) Judge Stephen Rushing</p>
<p>Casselberry 18th Circuit 2009CA007307</p>	<p><u>Johnson v. City & ATS</u> 8-28-09 case filed 9-15-09 Unopposed motion for extension of time by D, ATS 10-1-09 Second amended complaint 11-9-09 City and ATS filed Motion to Dismiss 11-9-09 ATS filed Motion for more definitive statement and Motion to Strike Demand for Attys Fees</p>	<p>No information available.</p>		<p>Access docket at seminoleclerk.org</p>

<p>Collier Co. 20th circuit 112009CA0076280001XX</p>	<p><u>Cinquegrana v. County</u> 8-28-09 Complaint filed 9-22-09 ATS served 11-12-09 Co filed motion to dismiss 11-16-09 ATS filed Motion to Dismiss, Motion for more definitive statement and Motion to Strike</p>	<p>No information available</p>		<p>Access docket at collierclerk.com Ps attorney is Jason Weisser so Complaint is probably the boilerplate document. Ds attorneys -- Steven Williams (Naples) and Amanda Sansone (Tampa)</p>
<p>Florida City 11th Circuit 2009-65621-CA-01</p>	<p><u>Guajardo v. City & ATS</u> 9-3-09 suit filed 11-20-09 ? filed Motion to Dismiss, Motion for more definitive statement and Motion to Strike 12-4-09 Notice of hearing 1-5-10 Case transferred*</p>	<p>No information available.</p>		
<p>Homestead 11th Circuit 2009-84934-CA-21</p>	<p><u>Suarez v. Homestead</u> 11-13-09 Case filed 12-23-09 ? filed Motion for More Definitive Statement 12-24-09 ATS filed Motion to Dismiss 1-4-10 ? filed Motion for extension 1-5-10 Case transferred* 1-20-10 City filed Motion to Dismiss or in the alt Motion for More Definitive Statement; City filed Motion to Strike Demand for Atty's Fees</p>	<p>Complaint not available</p>		<p>Ps attorney is Jason Weisser so one can assume the Complaint is the boilerplate document. Weiss Serota firm represents the City (same firm as Masone).</p>

<p>Juno Beach 15th Circuit 502009CA027088 XXXXMB</p>	<p><u>Zoeller, William D v. Town of Juno Beach & Lasercraft</u> 8-11-09 suit filed 11-13-09 Town filed Motion to Dismiss 12-10-09 Lasercraft filed a motion?</p>	<p>No other information available.</p>		<p>Access docket at mypalmbeachclerk.com. Case is hard to find – must use D’s full name or complete case no. Docket is hard to read. Case originally filed against ATS; however, Lasercraft is the City’s Vendor. Attorney for P is Weisser so complaint may be boilerplate Attorney for vendor is Rick Mitchell (same as Orlando). Attorney for Town (?) is Bruce Johnson</p>
<p>Lakeland 1 10th circuit** 09CA-009516-0000-00</p>	<p><u>Connor, Connors, Stonescapes v. City & ATS</u> 8-28-09 Writ of prohibition and class action filed 9-16-09 Service complete on all Ds 11-5-09 Motion to stay filed (don’t know the party) 12-23-09 Motion w/drawn; calendar entry added for 12-23-09 Motion to Withdraw 1-14-10 Motion granted to substitute council 3-11-10 Notice of dropping party(?)</p>	<p>Facts indicate preemption due to ch 316 and ch 318, FS, and lack of authority for HO due to ch 34. Issue: Whether P has illegally issued NOV’s Relief sought: Petition for Writ of Prohibition (pending adjudicatory hearings) Unjust enrichment (city) Unjust enrichment (ATS) Injunctive relief Declaratory relief</p>		<p>Suit was filed by a local Bartow lawyer (O’Toole); however, Ps’ lawyer is now Robert Young (Lake Wales).</p>

<p>Lakeland 2 10th circuit** 09CA-009617-0000-00</p>	<p><u>Fisher v. City & ATS</u> 9-1-09 Class action filed 9-22-09 Extension of time granted 11-9-09 ATS (?) filed Motion to Dismiss, Motion for more definitive statement and Motion to Strike</p>	<p>Challenges: Preemption --</p> <ul style="list-style-type: none"> ▪ ch 316 traffic control law ▪ ch 318 disp of traffic tickets <p>Unjust enrichment Tort of conversion Malicious prosecution/abuse of process Injunctive/declaratory relief</p>		<p>Second class action that Lakeland is defending, this one filed by attorney Weisser. ATS' attorney same as Ocoee and Apopka (Sansone).</p>
<p>Lakeland 3 10th circuit** 2010CA-000351-0000-LK</p>	<p><u>Nadeal v. ATS</u> 1-13-10 Suit filed 2-15-10 D's Motion to Dismiss or in the alt Motion for more definitive statement and to strike 2-19-10 City Motion to Dismiss w prejud</p>	<p>Article on this suit indicates challenge is to ATS for operating as a Private Investigator w/out a license.</p>		<p>Clinton Wallace, attorney for Plaintiff; Mark Miller, atty for City Case classified as a constitutional challenge to ordinance</p>
<p>Lakeland 4 10th circuit** 2010CA-000649-000-00</p>	<p><u>Adams v. ATS and City</u> 1-20-10 Suit filed 2-19-10 City Motion to Dismiss w prejud 3-12-10 D's Motion to Dismiss or in the alt Motion for more definitive statement and to strike</p>	<p>No information available.</p>		<p>Clinton Wallace, attorney for Plaintiff; Mark Miller atty for City; Salaro atty for Vendor Case classified as a constitutional challenge to ordinance</p>

Miami Gardens 11 th Circuit 2009-70726-CA-01	<u>Margolis v. City & ATS</u> 9-25-09 suit filed 11-10-09 ATS motion to dismiss, motion to strike, and motion for more definitive statement 11-16-09 ? City joined in Motion to Dismiss 12-1-09 Notice of hearing 1-5-10 Case transferred*	No information available.		I read but did not confirm that P's lawyer is Jason Weisser.
Miami Gardens 2 Dade County Ct. 2009-39473-CC-23	<u>Miller v. City & ATS</u> 12-17-09 Complaint filed 3-18-10 Service returned	No information available		
North Miami 11 th Circuit* 2009-62226-CA-01	<u>Sierra v. City & ATS</u> 8-25-09 suit filed 9-15-09 Motion for extension of time filed. 11-10-09 ATS motion to strike demand for attys fees, motion to dismiss, motion for a more definitive statement of claim 11-12-09 ? filed motion to strike and motion to dismiss	No information available.		Ps attorney is Jason Weisser. Ds attorney is w/Carlton Fields law firm (Tampa)
Ocoee 9 th Circuit 2009-CA-28800-O	<u>Moen v. City & ATS</u> 9-9-09 class action filed 9-30-09 amended complaint filed (which did not include civil rights claim) 11-13-09 City filed Motion to Dismiss 11-16-09 Motion for more definitive statement and Motion to Strike 11-16-09 Amended complaint filed	Challenges: Preemption -- <ul style="list-style-type: none"> ▪ ch 316 traffic control law ▪ ch 318 disp of traffic tickets Unjust enrichment Tort of conversion Malicious prosecution/abuse of process Injunctive/declaratory relief.		Ps attorney is Jason Weisser. ATS attorney same as Apopka and Lakeland (Sansone); City's attorney is same as Apopka (Pendley).

<p>Orlando 9th circuit 09-0267410</p>	<p><u>Ansari, Nabeel et al v. City & Lasercraft</u> 8-20-09 Class action filed 8-25-09 Amended complaint filed 8-31-09 SECOND amended complaint filed (see <i>Other</i>) 9-15-09 City served 10-2-09 THIRD amended complaint filed to omit civil rights claim. 10-15-09 Ds filed motion to transfer case to Complex Business Litigation court 11-4-09 Order granting motion to transfer case to business ct 11-9-09 City filed response 12-10-09 Vendor filed Motion for SJ 12-28-09 Vendor filed Motion for Oral Argument on SJ 1-20-10 Order granting Motion for OA granted; no date set 2-18-10 Order to extend time granted; reply due 2-22-10 3-16-10 Case Mgmt conf set for 4-14-10</p>	<p>Challenges: Preemption --</p> <ul style="list-style-type: none"> ▪ ch 316 traffic control law ▪ ch 318 disp of traffic tickets <p>Unjust enrichment Tort of conversion Malicious prosecution/abuse of process Injunctive/declaratory relief</p>	<p>1-13-10 email from City indicates OA tabled in this matter pending discovery</p>	<p>P's attorney is Jason Weisser who initially named the wrong Vendor D (he first named ATS and not the City's vendor). He finally filed the Second Amended Complaint naming the correct vendor on 8-31-09. Third amended complaint removed civil rights claim. Counsel for Vendor is Rick Mitchell, Gray Robinson. Notice of appearance of counsel for P (Burlington & Rockenbach)</p>
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<p>Palm Coast 7th Circuit 2009 CA 002245</p>	<p><u>Mayfield v. City & ATS</u> 8-25-09 class action filed 9-15-09 Motion for extension of time filed. 10-12-09 City's attorney accepted service 11-9-09 ATS filed Motion to Dismiss, Motion for more definitive statement and Motion to Strike 11-10-09 City filed Motion to Dismiss</p>	<p>No information available.</p>		<p>Access docket at Flaglerclerk.com; enter case number exactly P's lawyer is Jason Weisser so he probably has filed the boilerplate complaint. City Attorney with Brown Garganese law firm (Orlando)</p>
<p>Pembroke Pines 17th Circuit CACE09052018</p>	<p><u>Raymond Bennett v. City & ATS</u> 9-8-09 Complaint filed 11-12-09 City filed Motion to Dismiss 11-16-09 ATS filed Motion to Dismiss, Motion for more definitive statement and Motion to Strike</p>	<p>Unable to access any information on this case on line.</p>		<p>Access limited case info at browardclerk.org P's attorney, J Weisser, ATS attorney, Samuel Salario City Attorney, E Bruce Johnson</p>
<p>Temple Terrace 13th circuit 09-CA-008840</p>	<p><u>Bert, Kelly, et al v. City & ATS</u> 7-30-09 Amended class action filed 8-25-09 City and ATS filed answer and defenses 9-22-09 Reply to affirmative defenses filed 11-20-09 Notice to withdraw filed 12-14-09 Agreed Order 12-17-09 Notice 12-21-09 Resp to Request to Produce</p>	<p>Facts indicate preemption due to ch 316 and ch 318, FS; lack of authority for HO due to ch 34; due process concerns. Relief sought -- declaratory judgment, injunctive relief, and that the court find the City and ATS obtained unjust enrichment.</p>		<p>Access limited case info at hillsclerk.com P's attorney is Jack Townsend (same as Apopka 2). ATS attorney, Samuel Salario. City attorney, Kevin Graham.</p>

* 11th circuit cases (Miami-Dade) have been transferred to Judge Silverman (note added 1-8-10); 11th circuit dockets can be accessed at Miami-dadeclerk.com (standard case search)

** 10th circuit cases accessible at polkcountyclerk.net; must use full case number.