

**U.S. District Court
Southern District of Florida (Ft Lauderdale)
CIVIL DOCKET FOR CASE #: 0:20-cv-60297-RKA**

McDonald v. City of Pompano Beach, Florida
Assigned to: Judge Roy K. Altman
Referred to: Magistrate Judge Patrick M. Hunt
Cause: 42:1983 Civil Rights Act

Date Filed: 02/12/2020
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Bernard McDonald

represented by **Dante Pasquale Trevisani**
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V.

Defendant

City of Pompano Beach, Florida
a Florida municipal corporation

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Date Filed	#	Docket Text
02/12/2020	<u>1</u>	COMPLAINT <i>Verified</i> against City of Pompano Beach, Florida. Filing fees \$ 400.00 receipt number AFLSDC-12440003, filed by Bernard McDonald. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summon(s))(Taseff, Raymond) (Entered: 02/12/2020)

02/12/2020	2	Clerks Notice of Judge Assignment to Judge Roy K. Altman and Magistrate Judge Patrick M. Hunt. Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Patrick M. Hunt is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (mee) (Entered: 02/12/2020)
02/12/2020	3	Summons Issued as to City of Pompano Beach, Florida. (mee) (Entered: 02/12/2020)
02/12/2020	4	MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> by Bernard McDonald. (Attachments: # 1 Exhibit Ordinance, # 2 Exhibit Pompano Beach Arrest Forms, # 3 Exhibit McDonald Arrest Report)(Taseff, Raymond) (Entered: 02/12/2020)
02/27/2020	5	NOTICE of Filing Proposed Summons(es) <i>on City of Pompano Beach, Florida by serving: Mayor Rex Hardin</i> by Bernard McDonald (Taseff, Raymond) (Entered: 02/27/2020)
02/28/2020	6	Summons Issued as to City of Pompano Beach, Florida. (cbr) (Entered: 02/28/2020)
03/05/2020	7	SUMMONS (Affidavit) Returned Executed on 1 Complaint with a 21 day response/answer filing deadline pursuant to Fed. R. Civ. P. 12 by Bernard McDonald. City of Pompano Beach, Florida served on 3/3/2020, answer due 3/24/2020. (Taseff, Raymond) (Entered: 03/05/2020)
03/17/2020	8	RESPONSE to Motion re 4 MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> filed by City of Pompano Beach, Florida. Attorney Michael Thomas Burke added to party City of Pompano Beach, Florida(pty:dft). Replies due by 3/24/2020. (Attachments: # 1 Exhibit Ex. A)(Burke, Michael) (Entered: 03/17/2020)
03/18/2020	9	Unopposed Motion for Extension of Time to File Response/Reply/Answer as to 8 Response to Motion by Bernard

		McDonald. Responses due by 4/1/2020 (Attachments: # 1 Text of Proposed Order)(Taseff, Raymond) Modified Relief on 3/19/2020 (ls). (Entered: 03/18/2020)
03/19/2020	10	Corrected Unopposed Motion for Extension of Time to File Response/Reply/Answer as to 9 Response to Motion by Bernard McDonald. Responses due by 4/2/2020 (Attachments: # 1 Text of Proposed Order)(Taseff, Raymond) Modified Relief on 3/19/2020 (ls). (Entered: 03/19/2020)
03/19/2020	11	Clerks Notice to Filer re 9 Agreed MOTION for Extension of Time to File Reply . Wrong Motion Relief(s) Selected ; ERROR - The Filer selected the wrong motion relief(s) when docketing the motion. The correction was made by the Clerk. It is not necessary to refile this document but future motions filed must include applicable reliefs. (ls) (Entered: 03/19/2020)
03/19/2020	12	Clerks Notice to Filer re 10 Agreed MOTION for Extension of Time Corrected Agreed Motion for an Extension to File a Reply . Wrong Motion Relief(s) Selected ; ERROR - The Filer selected the wrong motion relief(s) when docketing the motion. The correction was made by the Clerk. It is not necessary to refile this document but future motions filed must include applicable reliefs. (ls) (Entered: 03/19/2020)
03/24/2020	13	PAPERLESS ORDER granting 10 the Plaintiff's Corrected Unopposed Motion for Extension of Time; denying as moot 9 the Plaintiff's Unopposed Motion for Extension of Time. The Plaintiff may file a reply in support of 4 his Motion for Preliminary Injunction on or before April 3, 2020. Signed by Judge Roy K. Altman on 3/24/2020. (jrf) (Entered: 03/24/2020)
03/24/2020		Set/Reset Deadlines/Hearings as to 4 MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> . Replies due by 4/3/2020. (cbr) (Entered: 03/25/2020)
03/26/2020	14	<i>Defendant City of Pompano Beach's</i> ANSWER and Affirmative Defenses to Complaint by City of Pompano Beach, Florida. (Burke, Michael) (Entered: 03/26/2020)
04/03/2020	15	REPLY to Response to Motion re 4 MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> filed by Bernard McDonald. (Attachments: # 1 Affidavit Declaration of Bernard McDonald)(Taseff, Raymond) (Entered: 04/03/2020)

04/06/2020	<u>16</u>	Notice of Supplemental Authority by City of Pompano Beach, Florida (Attachments: # <u>1</u> Exhibit Ex. A) (Burke, Michael) (Entered: 04/06/2020)
04/09/2020	17	PAPERLESS NOTICE of Hearing: re <u>4</u> MOTION for Preliminary Injunction Telephonic Motion Hearing set for 4/29/2020 at 10:00 AM in Fort Lauderdale Division before Judge Roy K. Altman. At that time, the parties shall dial 1-888-363-4734 and enter access code 9127026, followed by the # symbol. Counsel must not utilize speakerphone functionality during the hearing and must dial in using a landline (unless counsel is at home without access to a landline). (jrf) (Entered: 04/09/2020)
04/10/2020	<u>18</u>	NOTICE of Attorney Appearance by Hudson Carter Gill on behalf of City of Pompano Beach, Florida. Attorney Hudson Carter Gill added to party City of Pompano Beach, Florida(pty:dft). (Gill, Hudson) (Entered: 04/10/2020)
04/27/2020	<u>19</u>	MOTION for clarification of <i>the Nature of Upcoming Hearing</i> by Bernard McDonald. Responses due by 5/11/2020 (Taseff, Raymond) (Entered: 04/27/2020)
04/27/2020	20	PAPERLESS ORDER granting <u>19</u> Motion for Clarification. If the parties do not intend to introduce evidence at the hearing on the <u>4</u> Motion for Preliminary Injunction, the Court will hear oral argument, as scheduled, on April 29, 2020 at 10:00 AM. If any party intends to introduce evidence, either in the form of witness testimony or documentary exhibits, the parties must notify the Court by April 28, 2020 at 12:00 PM. In that case, the Court will re-set the hearing for a video hearing for another date. In either case, the Plaintiff, Bernard McDonald, shall not be required to personally appear through phone, video, or otherwise. Signed by Judge Roy K. Altman on 4/27/2020. (bsy) (Entered: 04/27/2020)
04/28/2020	<u>21</u>	NOTICE by City of Pompano Beach, Florida <i>Regarding Hearing on Plaintiff's Motion for Preliminary Injunction</i> (Burke, Michael) (Entered: 04/28/2020)
04/28/2020	22	PAPERLESS NOTICE of Hearing: **TIME CHANGE ONLY** re <u>4</u> MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> . Telephonic Motion Hearing re-set for 4/29/2020 at 03:00 PM in Fort Lauderdale Division before Judge Roy K. Altman. The Court will hear oral argument at that time. The parties shall dial 1-888-363-4734 and enter access code 9127026, followed by the # symbol. Counsel must not utilize speakerphone functionality during the hearing and must dial in

		using a landline (unless counsel is at home without access to a landline). (bsy) (Entered: 04/28/2020)
04/29/2020	23	PAPERLESS Minute Entry for proceedings held before Judge Roy K. Altman: Motion Hearing held on 4/29/2020 re 4 MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> filed by Bernard McDonald. Total time in court: 1 hour(s). Attorney Appearance(s): Michael Thomas Burke, Raymond J. Taseff, Dante Pasquale Trevisani, Mara Shlackman, Court Reporter: Francine Salopek, 954-769-5686 / Francine_Salopek@flsd.uscourts.gov. (bsy) (Entered: 04/29/2020)
05/01/2020	24	ORDER, denying 4 Motion for Preliminary Injunction. Telephonic Settlement Conference set for 5/6/2020 at 05:00 PM. Signed by Judge Roy K. Altman on 4/30/2020. <i>See attached document for full details.</i> (mee) (Entered: 05/03/2020)
05/01/2020		Settlement Conference Hearing terminated per chamber request. (mee) (Entered: 05/04/2020)
05/06/2020	25	NOTICE of Compliance by City of Pompano Beach, Florida re 24 Order on Motion for Preliminary Injunction (Attachments: # 1 Exhibit Ex. A) (Burke, Michael) (Entered: 05/06/2020)
05/11/2020	26	PAPERLESS NOTICE of Hearing: Telephonic Status Conference set for 5/12/2020 03:00 PM in Fort Lauderdale Division before Judge Roy K. Altman. The parties shall dial 1-888-363-4734 and enter access code 9127026, followed by the # symbol. Counsel must not utilize speakerphone functionality during the hearing and must dial in using a landline (unless counsel is at home without access to a landline). (bsy) (Entered: 05/11/2020)
05/12/2020	27	PAPERLESS Minute Entry for proceedings held before Judge Roy K. Altman: Telephonic Status Conference held on 5/12/2020. Total time in court: 30 minutes. Attorney Appearance(s): Michael Thomas Burke, Raymond J. Taseff, Dante Pasquale Trevisani, Mara Shlackman, Court Reporter: Francine Salopek, 954-769-5686 / Francine_Salopek@flsd.uscourts.gov. (bsy) (Entered: 05/12/2020)
05/13/2020	28	ORDER ADMINISTRATIVELY CLOSING CASE. Closing Case. Signed by Judge Roy K. Altman on 5/12/2020. <i>See attached document for full details.</i> (mee) (Entered: 05/13/2020)
06/11/2020	29	STATUS REPORT <i>Joint Status Report</i> by Bernard McDonald (Taseff, Raymond) (Entered: 06/11/2020)

07/10/2020	30	STATUS REPORT <i>Monthly Joint Status Report</i> by Bernard McDonald (Taseff, Raymond) (Entered: 07/10/2020)
08/10/2020	31	STATUS REPORT <i>Monthly Joint Status Report</i> by Bernard McDonald (Taseff, Raymond) (Entered: 08/10/2020)
09/11/2020	32	STATUS REPORT <i>Monthly Joint Status Report</i> by Bernard McDonald (Taseff, Raymond) (Entered: 09/11/2020)
09/14/2020	33	Plaintiff's MOTION Reopen the Case by Bernard McDonald. (Taseff, Raymond) Modified to correct relief on 9/15/2020 (cbr). (Entered: 09/14/2020)
09/16/2020	34	ORDER, granting 33 Motion to Reopen Case. By September 17, 2020, the parties shall jointly file a brief Notice explaining their efforts to resolve this dispute. Signed by Judge Roy K. Altman on 9/15/2020. <i>See attached document for full details.</i> (mee) (Entered: 09/16/2020)
09/17/2020	35	NOTICE by Bernard McDonald (Taseff, Raymond) (Entered: 09/17/2020)
09/18/2020	36	ORDER. Telephonic Status Conference set for 9/28/2020 at 02:30 PM before Judge Roy K. Altman. Signed by Judge Roy K. Altman on 9/18/2020. <i>See attached document for full details.</i> (mee) (Entered: 09/18/2020)
09/25/2020	37	NOTICE by Bernard McDonald <i>Notice of Partial Settlement</i> (Taseff, Raymond) (Entered: 09/25/2020)
09/25/2020	38	MDL AMENDED COMPLAINT <i>Verified Amended Complaint</i> against City of Pompano Beach, Florida, filed by Bernard McDonald. (Attachments: # 1 Exhibit Ordinance 20-60/Amendment to Sec. 100.41, # 2 Exhibit Ordinance 20-59/Amendment to Sec. 100.35, # 3 Exhibit LList: City Intersections & Occurrences)(Taseff, Raymond) (Entered: 09/25/2020)
09/25/2020	40	Clerks Notice to Filer re 38 MDL Amended Complaint,. Wrong Event (s) Selected ; ERROR - The Filer selected the wrong motion relief(s) when docketing the motion. The correction was made by the Clerk. See d.e. 41 . It is not necessary to refile this document but future motions filed must

		include applicable reliefs. Event Modified on 9/28/2020 (mee). Modified on 9/28/2020 (mee). (Entered: 09/28/2020)
09/25/2020	41	AMENDED COMPLAINT against City of Pompano Beach, Florida, filed by Bernard McDonald. See d.e. 38 for image.(mee) (Entered: 09/28/2020)
09/27/2020	39	PAPERLESS NOTICE Rescheduling Hearing: Telephonic Status Conference re-set for 10/2/2020 11:00 AM in Fort Lauderdale Division before Judge Roy K. Altman. At that time, the parties shall dial 1-888-363-4734 and enter access code 9127026, followed by the# symbol. (bsy) (Entered: 09/27/2020)
09/28/2020	42	Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> by Bernard McDonald. (Taseff, Raymond) (Entered: 09/28/2020)
10/02/2020	43	PAPERLESS Minute Entry for proceedings held before Judge Roy K. Altman: Status Conference held on 10/2/2020. Total time in court: 30 minutes. Attorney Appearance(s): Michael Thomas Burke, Raymond J. Taseff, Dante Pasquale Trevisani, Mara Shlackman, Court Reporter: Francine Salopek, 954-769-5686 / Francine_Salopek@flsd.uscourts.gov. (bsy) (Entered: 10/02/2020)
10/05/2020	44	ORDER REQUIRING SCHEDULING REPORT AND CERTIFICATES OF INTERESTED PARTIES. Joint Scheduling Report, Certificates of Interested Parties and Corporate Disclosure Statements due by 10/13/2020. Signed by Judge Roy K. Altman on 10/5/2020. <i>See attached document for full details.</i> (mee) (Entered: 10/05/2020)
10/05/2020	45	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to 42 Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> , 38 MDL Amended Complaint, by City of Pompano Beach, Florida. (Burke, Michael) (Entered: 10/05/2020)
10/05/2020	46	PAPERLESS ORDER granting 45 Motion for Extension of Time. The Defendant shall respond to the Complaint and the Motion for Preliminary Injunction by October 20, 2020. Signed by Judge Roy K. Altman on 10/5/2020. (bsy) (Entered: 10/05/2020)
10/05/2020		Set/Reset Deadlines/Hearings as to 42 Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law.</i> (Responses due by 10/20/2020), Set/Reset Answer Due Deadline:

		City of Pompano Beach, Florida response due 10/20/2020. per DE 16 (cbr) (Entered: 10/06/2020)
10/13/2020	47	Joint SCHEDULING REPORT - Rule 16.1 by Bernard McDonald (Attachments: # 1 Text of Proposed Order Scheduling Order)(Trevisani, Dante) (Entered: 10/13/2020)
10/13/2020	48	Plaintiff's Certificate of Other Affiliates by Bernard McDonald (Trevisani, Dante) (Entered: 10/13/2020)
10/13/2020	49	Defendant's Certificate of Other Affiliates/Corporate Disclosure Statement - NONE disclosed by City of Pompano Beach, Florida (Burke, Michael) (Entered: 10/13/2020)
10/13/2020	50	PAPERLESS NOTICE of Hearing: Telephonic Status Conference set for 10/16/2020 11:30 AM in Fort Lauderdale Division before Judge Roy K. Altman. At that time, the parties shall dial 1-888-363-4734 and enter access code 9127026, followed by the # symbol. (bsy) (Entered: 10/13/2020)
10/16/2020	51	PAPERLESS Minute Entry for proceedings held before Judge Roy K. Altman: Status Conference held on 10/16/2020. Total time in court: 20 minutes. Attorney Appearance(s): Hudson Carter Gill, Dante Pasquale Trevisani, Mara Shlackman, Court Reporter: Francine Salopek, 954-769-5686 / Francine_Salopek@flsd.uscourts.gov. (bsy) (Entered: 10/16/2020)
10/20/2020	52	RESPONSE to Motion re 42 Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> filed by City of Pompano Beach, Florida. Replies due by 10/27/2020. (Attachments: # 1 Exhibit Ex. A)(Gill, Hudson) (Entered: 10/20/2020)
10/20/2020	53	<i>Defendant City of Pompano Beach's</i> ANSWER and Affirmative Defenses to Complaint (<i>Verified Amended Complaint</i>) by City of Pompano Beach, Florida. (Gill, Hudson) (Entered: 10/20/2020)
10/21/2020	54	SCHEDULING ORDER: (Jury Trial set for 6/21/2021 in Fort Lauderdale Division before Judge Roy K. Altman., Calendar Call set for 6/15/2021 01:45 PM in Fort Lauderdale Division before Judge Roy K. Altman., Amended Pleadings due by 12/3/2020., Discovery due by 2/23/2021., Expert Discovery due by 2/23/2021., Fact Discovery due by 2/23/2021., Joinder of Parties due by 12/3/2020., Mediation Deadline 3/9/2021., In Limine Motions due by 6/7/2021., Dispositive Motions due by 3/17/2021., Motions due by 3/17/2021., Pretrial Stipulation due by 6/7/2021.), ORDER REFERRING CASE to Mediation. (Mediation Deadline

		3/9/2021.), ORDER REFERRING CASE to Magistrate Judge Patrick M. Hunt for all pretrial non-dispositive and discovery matters. Signed by Judge Roy K. Altman on 10/21/2020. <i>See attached document for full details.</i> (mee) (Entered: 10/22/2020)
10/23/2020	55	Unopposed MOTION for Extension of Time to File Response/Reply/Answer by Bernard McDonald. (Taseff, Raymond) (Entered: 10/23/2020)
10/23/2020	56	PAPERLESS ORDER granting 55 the Plaintiff's Unopposed MOTION for Extension of Time to File a Reply To Defendant's Response to Plaintiff's Second Motion for a Preliminary Injunction. The Plaintiff shall file his reply on or before October 30, 2020. Signed by Judge Roy K. Altman on 10/23/2020. (mpt) (Entered: 10/23/2020)
10/30/2020	57	REPLY to Response to Motion re 42 Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> filed by Bernard McDonald. (Attachments: # 1 Affidavit Declaration of Bernard McDonald)(Taseff, Raymond) (Entered: 10/30/2020)
11/03/2020	58	NOTICE by Bernard McDonald re 57 Reply to Response to Motion (<i>Notice of Correction</i>) (Shlackman, Mara) (Entered: 11/03/2020)
11/03/2020	59	ORDER, re 42 Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> filed by Bernard McDonald, as to 42 Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> .By Friday, November 6, 2020, the Parties shall file a joint notice with the Court indicating whether they agree that an evidentiary hearing is necessary. Telephonic Calendar Call set for 11/16/2020 at 01:30 PM before Judge Roy K. Altman. Evidentiary Hearing set for 11/18/2020 at 10:00 AM via Zoom (with instructions to follow) before Judge Roy K. Altman Signed by Judge Roy K. Altman on 11/3/2020. <i>See attached document for full details.</i> (mee) (Entered: 11/04/2020)
11/06/2020	60	NOTICE by Bernard McDonald <i>Joint Notice Regarding Evidentiary Hearing on Plaintiff's Second Motion for a Preliminary Injunction</i> (Taseff, Raymond) (Entered: 11/06/2020)
11/06/2020	61	PAPERLESS NOTICE of Hearing: re 42 Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> . Calendar Call set for 11/16/2020 01:30 PM before Judge Roy K. Altman. At that time, the parties shall dial 1-888-363-4734 and enter access code 9127026, followed by the # symbol. Counsel must not use speakerphone functionality during the hearing and

		should use a landline if possible. Evidentiary Hearing set for 11/18/2020 10:00 AM before Judge Roy K. Altman. Videoconference (Zoom) instructions will follow. (mpt) (Entered: 11/06/2020)
11/12/2020	62	NOTICE of Mediator Selection and Hearing. Selected/Added Shelley H. Leinicke as Mediator. Mediation Hearing set for 3/2/2021 at 2:00 p.m.. (mee) (Entered: 11/13/2020)
11/16/2020	63	PAPERLESS Minute Entry for proceedings held before Judge Roy K. Altman: Calendar Call held on 11/16/2020. Total time in court: 0 hour(s) : 15 minutes. Attorney Appearance(s): Hudson Carter Gill, Raymond J. Taseff, Dante Pasquale Trevisani, Mara Shlackman, Court Reporter: Francine Salopek, 954-769-5686 / Francine_Salopek@flsd.uscourts.gov. (mpt) (Entered: 11/16/2020)
11/16/2020	64	ORDER SCHEDULING MEDIATION. Mediation Hearing set for 3/2/2021 at 02:00 PM via videoconferencing service before Shelley H. Leinicke Signed by Judge Roy K. Altman on 11/16/2020. <i>See attached document for full details.</i> (mee) (Entered: 11/16/2020)
11/17/2020	65	NOTICE by Bernard McDonald of <i>Filing Joint Exhibit List</i> (Attachments: # 1 Joint Exhibit List) (Shlackman, Mara) (Entered: 11/17/2020)
11/17/2020	66	NOTICE by City of Pompano Beach, Florida <i>Notice of Filing Exhibits for Evidentiary Hearing</i> (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4) (Gill, Hudson) (Entered: 11/17/2020)
11/18/2020	67	PAPERLESS Minute Entry for proceedings held before Judge Roy K. Altman: Evidentiary Hearing held on 11/18/2020 Witness Bernard McDonald testified. Total time in court: 1 hour(s) : 45 minutes. Attorney Appearance(s): Hudson Carter Gill, F. Jahra McLawrence, Raymond J. Taseff, Dante Pasquale Trevisani, Mara Shlackman, Court Reporter: Francine Salopek, 954-769-5686 / Francine_Salopek@flsd.uscourts.gov. (mpt) (Entered: 11/18/2020)
11/19/2020	68	NOTICE of Hearing on Motion 42 Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> : Telephonic Motion Hearing set for 11/19/2020 04:45 PM before Judge Roy K. Altman. At that time, the parties shall dial 1-888-363-4734 and enter access code 9127026, followed by the # symbol. Counsel must not utilize speakerphone functionality during the hearing and must dial in using a landline. (mpt) (Entered: 11/19/2020)

11/19/2020	69	PAPERLESS Minute Entry for proceedings held before Judge Roy K. Altman: Motion Hearing held on 11/19/2020 re 42 Second MOTION for Preliminary Injunction <i>and Supporting Memorandum of Law</i> filed by Bernard McDonald. Total time in court: 0 hour(s) : 20 minutes. Attorney Appearance(s): Hudson Carter Gill, Raymond J. Taseff, Dante Pasquale Trevisani, Mara Shlackman, Court Reporter: Francine Salopek, 954-769-5686 / Francine_Salopek@flsd.uscourts.gov. (mpt) (Entered: 11/19/2020)
11/20/2020	70	NOTICE of Voluntary Dismissal <i>of Counts 1 and 2</i> by Bernard McDonald (Trevisani, Dante) (Entered: 11/20/2020)
11/20/2020	71	STIPULATION <i>as to Waiver of Jury Trial</i> by Bernard McDonald (Taseff, Raymond) (Entered: 11/20/2020)
11/23/2020	72	ORDER, deferring ruling on 42 Motion for Preliminary Injunction. By December 4, 2020, the Parties shall file a joint proposed scheduling order, as required by Local Rule 16.1. Signed by Judge Roy K. Altman on 11/23/2020. <i>See attached document for full details.</i> (mee) (Entered: 11/23/2020)
12/04/2020	73	Joint SCHEDULING REPORT - Rule 16.1 by Bernard McDonald (Taseff, Raymond) (Entered: 12/04/2020)
12/08/2020	74	AMENDED SCHEDULING ORDER: Discovery due by 3/1/2021. Expert Discovery due by 3/1/2021. Fact Discovery due by 3/1/2021. Signed by Judge Roy K. Altman on 12/8/2020. <i>See attached document for full details.</i> (mee) (Entered: 12/08/2020)
12/14/2020	75	NOTICE by Bernard McDonald <i>of Filing Exhibits in Support of Plaintiff's Motion for Partial Summary Judgment as to Count III of the Verified Amended Complaint</i> (Attachments: # 1 Exhibit City Legistar Report, # 2 Exhibit FHSMV 2018 Report, # 3 Exhibit Certified Ord. 2021-21 (100.35)) (Taseff, Raymond) (Entered: 12/14/2020)
12/14/2020	76	Statement of: <i>Plaintiff's Statement of Material Undisputed Facts in Support of Plaintiff's Motion for Partial Summary Judgment as to Count III of the Verified Amended Complaint</i> by Bernard McDonald (Taseff, Raymond) (Entered: 12/14/2020)
12/14/2020	77	Plaintiff's MOTION for Partial Summary Judgment <i>as to Count III of the Verified Amended Complaint</i> by Bernard McDonald. Responses due by 12/28/2020 (Taseff, Raymond) (Entered: 12/14/2020)

12/16/2020	78	Unopposed MOTION for Extension of Time to file Motion for Partial Attorneys' Fees and Costs by Bernard McDonald. Responses due by 12/30/2020 (Trevisani, Dante) (Entered: 12/16/2020)
12/17/2020	79	Unopposed MOTION for Extension of Time Response to Motion for Partial Summary Judgement as to Count III by City of Pompano Beach, Florida. Responses due by 12/31/2020 (Attachments: # 1 Text of Proposed Order Proposed Order)(Gill, Hudson) (Entered: 12/17/2020)
12/17/2020	80	PAPERLESS ORDER granting 78 the Plaintiff's Unopposed Motion for Extension of Time. The Plaintiff shall file a motion for partial attorneys' fees and costs by February 19, 2021 and serve a draft copy on the Defendant under Local Rule 7.3(b) by January 19, 2021. Signed by Judge Roy K. Altman on 12/17/2020. (mpt) (Entered: 12/17/2020)
12/17/2020	81	PAPERLESS ORDER granting 79 the Defendant's Unopposed Motion for Extension of Time. The Defendant shall respond to 77 the Plaintiff's Partial Motion for Summary Judgment by January 18, 2021. Signed by Judge Roy K. Altman on 12/17/2020. (mpt) (Entered: 12/17/2020)
12/18/2020		Reset Deadlines Per DE#81. Responses due by 1/18/2021 (cqs) (Entered: 12/18/2020)
01/19/2021	82	RESPONSE in Opposition re 77 Plaintiff's MOTION for Partial Summary Judgment <i>as to Count III of the Verified Amended Complaint</i> filed by City of Pompano Beach, Florida. Replies due by 1/26/2021. (Gill, Hudson) (Entered: 01/19/2021)
01/19/2021	83	Statement of: <i>Material Facts in Opposition to the Plaintiff's Statement of Material Facts</i> by City of Pompano Beach, Florida re 76 Statement (Attachments: # 1 Exhibit 1- Declaration of John Sfiropoulos, P.E., # 2 Exhibit 2- Declaration of Michael Carabine)(Gill, Hudson) (Entered: 01/19/2021)
01/22/2021	84	Unopposed MOTION for Extension of Time to File Reply by Bernard McDonald. Responses due by 2/5/2021 (Taseff, Raymond) (Entered: 01/22/2021)
01/25/2021	85	PAPERLESS ORDER granting 84 the Plaintiff's Unopposed Motion for Extension of Time. The Plaintiff shall file a reply brief by February 16, 2021. Signed by Judge Roy K. Altman on 1/25/2021. (mpt) (Entered: 01/25/2021)

02/16/2021	86	REPLY to Response to Motion re 77 Plaintiff's MOTION for Partial Summary Judgment <i>as to Count III of the Verified Amended Complaint</i> filed by Bernard McDonald. (Taseff, Raymond) (Entered: 02/16/2021)
02/16/2021	87	REPLY to Response to Motion re 77 Plaintiff's MOTION for Partial Summary Judgment <i>as to Count III of the Verified Amended Complaint Plaintiff's Reply Statement of Facts</i> filed by Bernard McDonald. (Taseff, Raymond) (Entered: 02/16/2021)
02/17/2021	88	Unopposed MOTION for Extension of Time to File Motion for Partial Attorneys' Fees and Costs by Bernard McDonald. Responses due by 3/3/2021 (Trevisani, Dante) (Entered: 02/17/2021)
02/22/2021	89	PAPERLESS ORDER granting 88 the Unopposed Motion for Extension of Time. The Plaintiff shall file a Motion for Partial Attorneys' Fees and Costs by March 5, 2021. Signed by Judge Roy K. Altman on 2/19/2021. (mpt) (Entered: 02/22/2021)
03/03/2021	90	Unopposed MOTION for Extension of Time to File Motion for Partial Attorneys' Fees and Costs by Bernard McDonald. Responses due by 3/17/2021 (Trevisani, Dante) (Entered: 03/03/2021)
03/05/2021	91	PAPERLESS ORDER granting 90 the Plaintiff's Unopposed Motion for Extension of Time. The Plaintiff shall file the Motion for Partial Attorneys' Fees and Costs by March 9, 2021. Signed by Judge Roy K. Altman on 3/5/2021. (mpt) (Entered: 03/05/2021)
03/05/2021	92	FINAL MEDIATION REPORT by Shelley H.Leinicke. Disposition: Case did not settle.(mee) (Entered: 03/07/2021)
03/09/2021	93	Plaintiff's MOTION for Attorney Fees (<i>Partial</i>) by Bernard McDonald. Responses due by 3/23/2021 (Attachments: # 1 Exhibit 1 - Time Records, # 2 Exhibit 2 - Attorney Declarations, # 3 Exhibit 3 - Garza Order, # 4 Exhibit 4 - Spadaro Order, # 5 Exhibit 5 - Cost Summary)(Trevisani, Dante) (Entered: 03/09/2021)
03/16/2021	94	Unopposed MOTION for Extension of Time Response to Motion to Determine the Amount of Partial Attorney's Fees and Costs by City of Pompano Beach, Florida. Responses due by 3/30/2021 (Gill, Hudson) (Entered: 03/16/2021)

03/17/2021	95	MOTION for Summary Judgment <i>and incorporated Memorandum of Law</i> by City of Pompano Beach, Florida. Responses due by 3/31/2021 (Gill, Hudson) (Entered: 03/17/2021)
03/17/2021	96	Statement of: <i>Undisputed Material Facts in Support of Summary Judgment</i> by City of Pompano Beach, Florida (Attachments: # 1 Exhibit 1- Plaintiff's Depo, # 2 Exhibit 2-Booking report)(Gill, Hudson) (Entered: 03/17/2021)
03/18/2021	97	PAPERLESS ORDER granting 94 Motion for Extension of Time. Defendant shall file its response to 93 on or before 4/6/2021. Signed by Magistrate Judge Patrick M. Hunt on 3/18/2021. (bse) (Entered: 03/18/2021)
03/18/2021		Set/Reset Deadlines/Hearings as to 93 Plaintiff's MOTION for Attorney Fees (<i>Partial</i>). Responses due by 4/6/2021 per DE 97 (cbr) (Entered: 03/19/2021)
03/26/2021	98	Unopposed MOTION for Extension of Time until April 14, 2021 to file Response to Defendant's Motion for Summary Judgment by Bernard McDonald. Responses due by 4/9/2021 (Taseff, Raymond) (Entered: 03/26/2021)
03/26/2021	99	PAPERLESS ORDER granting 98 the Plaintiff's Unopposed Motion for Extension of Time. The Plaintiff shall respond to 95 the Defendant's Motion for Summary Judgment by April 14, 2021. Signed by Judge Roy K. Altman on 3/26/2021. (mpt) (Entered: 03/26/2021)
04/05/2021	100	Second MOTION for Extension of Time Response to Motion to Determine the Amount of Partial Attorney's Fees and Costs by City of Pompano Beach, Florida. Responses due by 4/19/2021 (Gill, Hudson) (Entered: 04/05/2021)
04/05/2021	101	PAPERLESS ORDER granting 100 Defendant's Motion for Extension of Time. Defendant shall file its Response to Plaintiff's Motion for Attorneys' Fees 93 on or before 4/23/2021. Signed by Magistrate Judge Patrick M. Hunt on 4/5/2021. (bse) (Entered: 04/05/2021)
04/23/2021	102	RESPONSE to Motion re 93 Plaintiff's MOTION for Attorney Fees (<i>Partial</i>) filed by City of Pompano Beach, Florida. Replies due by 4/30/2021. (Attachments: # 1 Exhibit Spreadsheet of Pre-Filing Billing, # 2 Exhibit Email Chain Between R. Taseff, Esq. and M. Berman, Esq., # 3 Exhibit Email Chain Between R. Taseff, Esq., and M. Berman, Esq., # 4 Exhibit Spreadsheet of Post-Filing Billing, # 5 Exhibit Declaration of Matthew H. Mandel,

		# 6 Exhibit Declaration of Michael T. Burke, Esq., # 7 Exhibit Spreadsheet of Pre 9/17/19, billing entries, # 8 Exhibit Spreadsheet of Complaint Billing Entries, # 9 Exhibit Spreadsheet of Pre-Inj. Mot. Billing Entries, # 10 Exhibit Improper Post-Filing Billing)(Gill, Hudson) (Entered: 04/23/2021)
04/26/2021	103	NOTICE of Change of Address, Email or Law Firm Name by Dante Pasquale Trevisani (Trevisani, Dante) (Entered: 04/26/2021)
04/27/2021	104	CLERK'S NOTICE - Attorney Admissions has not updated address and/or email information for attorney Dante Pasquale Trevisani re 103 Notice of Change of Address, Email or Law Firm Name. Attorney Dante Pasquale Trevisani has not followed the required procedures for updating their information with the Court. After filing a Notice in all pending cases, Attorney is instructed to go to their PACER account, Manage My Account, to complete the process of updating their information. The Court is NOT responsible for updating secondary email addresses. Also, each attorney must file their own Notices and follow the Pacer procedures. See the Courts website for detailed instructions. www.flsd.uscourts.gov/updating-your-information (pt) (Entered: 04/27/2021)
04/27/2021	105	NOTICE of Change of Address, Email or Law Firm Name by Raymond J. Taseff (Taseff, Raymond) (Entered: 04/27/2021)
04/28/2021	106	CLERK'S NOTICE - Attorney Admissions has not updated address and/or email information for attorney Raymond J. Taseff re 105 Notice of Change of Address, Email or Law Firm Name. Attorney Raymond J. Taseff has not followed the required procedures for updating their information with the Court. Attorney is instructed to go to their PACER account, Manage My Account, to complete the process of updating their information. The Court is NOT responsible for updating secondary email addresses. See the Courts website for detailed instructions. www.flsd.uscourts.gov/updating-your-information (pt) (Entered: 04/28/2021)
04/29/2021	107	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to 102 Response to Motion,,, by Bernard McDonald. (Trevisani, Dante) (Entered: 04/29/2021)
04/29/2021	108	PAPERLESS ORDER granting 107 Plaintiff's Motion for Extension of Time. Plaintiff shall file his reply to 102 on or before 5/21/2021. Signed by Magistrate Judge Patrick M. Hunt on 4/29/2021. (bse) (Entered: 04/29/2021)

05/14/2021	<u>109</u>	NOTICE by Bernard McDonald of <i>Filing Exhibits in Response and Opposition to Defendant City's Statement of Material Facts in Support of Defendant's Motion for Summary Judgment</i> (Attachments: # <u>1</u> Exhibit Traffic Reports, Part I, # <u>2</u> Exhibit Traffic Reports, Part II) (Taseff, Raymond) (Entered: 05/14/2021)
05/14/2021	<u>110</u>	Statement of: <i>Material Facts in Response and Opposition to Defendant City's Statement of Facts in Support of Defendant's Motion for Summary Judgment</i> by Bernard McDonald (Taseff, Raymond) (Entered: 05/14/2021)
05/14/2021	<u>111</u>	RESPONSE in Opposition re <u>95</u> MOTION for Summary Judgment and incorporated <i>Memorandum of Law</i> filed by Bernard McDonald. Replies due by 5/21/2021. (Taseff, Raymond) (Entered: 05/14/2021)
05/19/2021	<u>112</u>	Unopposed MOTION for Extension of Time to File Its Reply in Support of Its Motion for Summary Judgment by City of Pompano Beach, Florida. Responses due by 6/2/2021 (Gill, Hudson) (Entered: 05/19/2021)
05/19/2021	113	PAPERLESS ORDER granting <u>112</u> the Defendant's Unopposed Motion for Extension of Time. The Defendant shall file a reply in support of its Motion for Summary Judgment by June 11, 2021. Signed by Judge Roy K. Altman on 5/19/2021. (mpt) (Entered: 05/19/2021)
05/21/2021	<u>114</u>	REPLY to Response to Motion re <u>93</u> Plaintiff's MOTION for Attorney Fees (<i>Partial</i>) filed by Bernard McDonald. (Attachments: # <u>1</u> Exhibit 1 - City's Written Objections to Fees and Costs, # <u>2</u> Exhibit 2 - William Hill Declaration)(Trevisani, Dante) (Entered: 05/21/2021)
05/28/2021	<u>115</u>	Joint MOTION to Continue <i>Pretrial Filing Deadlines and Reset Trial Date</i> by City of Pompano Beach, Florida. Responses due by 6/11/2021 (Burke, Michael) (Entered: 05/28/2021)
06/02/2021	<u>116</u>	AMENDED SCHEDULING ORDER,granting <u>115</u> Motion to Continue. In Limine Motions due by 8/30/2021. Pretrial Stipulation due by 8/30/2021. Calendar Call set for 9/7/2021 at 01:45 PM in Fort Lauderdale Division before Judge Roy K. Altman. Jury Trial set for 9/13/2021 in Fort Lauderdale Division before Judge Roy K. Altman. Signed by Judge Roy K. Altman on 6/1/2021. <i>See attached document for full details.</i> (mee) (Entered: 06/02/2021)

06/07/2021	117	Unopposed MOTION for Extension of Time to reply in support of its Motion for Summary Judgment by City of Pompano Beach, Florida. Responses due by 6/21/2021 (Attachments: # 1 Text of Proposed Order)(Gill, Hudson) (Entered: 06/07/2021)
06/08/2021	118	PAPERLESS ORDER granting 117 the Unopposed Motion for Extension of Time. The City shall file its reply in support of its Motion for Summary Judgment by June 21, 2021. Signed by Judge Roy K. Altman on 6/8/2021. (mpt) (Entered: 06/08/2021)
06/09/2021		Reset Deadlines Per DE#118. Replies due by 6/21/2021. (cqs) (Entered: 06/09/2021)
06/21/2021	119	REPLY to 95 MOTION for Summary Judgment and incorporated Memorandum of Law by City of Pompano Beach, Florida. (Gill, Hudson) Modified text on 6/21/2021 (mee). (Entered: 06/21/2021)
08/16/2021	120	Joint MOTION to Continue <i>Second Joint Motion to Continue Pre-Trial Filing Deadlines and Reset Trial Date</i> by Bernard McDonald. Responses due by 8/30/2021 (Shlackman, Mara) (Entered: 08/16/2021)
08/23/2021	121	ORDER, denying as moot 42 Motion for Preliminary Injunction; denying 77 Motion for Partial Summary Judgment; granting in part and denying in part 95 Motion for Summary Judgment. Signed by Judge Roy K. Altman on 8/23/2021. <i>See attached document for full details.</i> (mee) (Entered: 08/24/2021)
08/23/2021	122	ORDER, granting 120 Motion to Continue. In Limine Motions due by 10/11/2021. Pretrial Stipulation due by 10/25/2021. Calendar Call set for 11/2/2021 at 01:45 PM in Fort Lauderdale Division before Judge Roy K. Altman. Jury Trial set for 11/8/2021 in Fort Lauderdale Division before Judge Roy K. Altman. Signed by Judge Roy K. Altman on 8/23/2021. <i>See attached document for full details.</i> (mee) (Entered: 08/24/2021)
09/15/2021	123	MOTION for Extension of Time pretrial deadlines and for a Continuance by City of Pompano Beach, Florida. Responses due by 9/29/2021 (Gill, Hudson) (Entered: 09/15/2021)
09/20/2021	124	Plaintiff's MOTION for Reconsideration re 121 Order on Motion for Preliminary Injunction,, Order on Motion for Partial Summary Judgment,, Order on Motion for Summary Judgment, by Bernard McDonald. (Taseff, Raymond) (Entered: 09/20/2021)

09/20/2021	125	ORDER, granting in part 123 Motion for Extension of Time. In Limine Motions due by 12/19/2021. Pretrial Stipulation due by 1/4/2022. Calendar Call set for 1/10/2022 at 01:45 PM in Fort Lauderdale Division before Judge Roy K. Altman. Jury Trial set for 1/16/2022 before Judge Roy K. Altman. Signed by Judge Roy K. Altman on 9/20/2021. <i>See attached document for full details.</i> (mee) (Entered: 09/20/2021)
09/23/2021	126	PAPERLESS NOTICE of Hearing: re 124 Plaintiff's MOTION for Reconsideration re 121 Order on Motion for Preliminary Injunction,, Order on Motion for Partial Summary Judgment,, Order on Motion for Summary Judgment, Motion Hearing set for 10/1/2021 02:00 PM before Judge Roy K. Altman. The hearing will be held via Zoom videoconference. Meeting ID: 161 2752 2255; Passcode: 7777. (mpt) (Entered: 09/23/2021)
09/24/2021	127	PAPERLESS ORDER. The hearing on October 1, 2021 will be held in person in Miami Chambers - 400 North Miami Avenue Courtroom 12-4 Miami, Florida 33128 - and over Zoom. The parties shall file a notice on the docket by September 31, 2021 indicating whether they will attend in person or over Zoom. Signed by Judge Roy K. Altman on 9/24/2021. (mpt) (Entered: 09/24/2021)
09/28/2021	128	NOTICE by City of Pompano Beach, Florida <i>Regarding October 1, 2021 Status Conference</i> (Burke, Michael) (Entered: 09/28/2021)
09/30/2021	129	PAPERLESS ORDER denying without prejudice 93 the Motion for Partial Attorney's Fees. The Plaintiff may re-file the motion at the conclusion of the case, as "the Court seeks to avoid piecemeal resolution of issues... includ[ing] awards of attorney's fees." <i>Commodores Ent. Corp. v. McClary</i> , 2018 WL 11354039, at *1 (M.D. Fla. Dec. 11, 2018). Signed by Judge Roy K. Altman on 9/30/2021. (mpt) (Entered: 09/30/2021)
09/30/2021	130	NOTICE. The hearing on October 1, 2021 at 2:00pm will be held via Zoom video conference. Meeting ID: 161 2752 2255. Passcode: 7777. (mpt) (Entered: 09/30/2021)
10/01/2021	131	PAPERLESS Minute Entry for proceedings held before Judge Roy K. Altman: Motion Hearing held on 10/1/2021 re 124 Plaintiff's MOTION for Reconsideration re 121 Order on Motion for Preliminary Injunction,, Order on Motion for Partial

		Summary Judgment,, Order on Motion for Summary Judgment, filed by Bernard McDonald. Total time in court: 0 hour(s) : 12 minutes. Attorney Appearance(s): Michael Thomas Burke, Raymond J. Taseff, Dante Pasquale Trevisani, Mara Shlackman, Court Reporter: Francine Salopek, 954-769-5686 / Francine_Salopek@flsd.uscourts.gov. (mpt) (Entered: 10/01/2021)
10/01/2021	132	PAPERLESS ORDER requiring the Defendant to file a notice with the Court by October 8, 2021 indicating whether it intends to defend the constitutionality of now-repealed § 100.35(C)(2) of the City Code or to stipulate to the provision's unconstitutionality. If the Defendant intends to defend the constitutionality of the provision, it shall respond to 124 the Plaintiff's Motion for Reconsideration by October 8, 2021. Signed by Judge Roy K. Altman on 10/1/2021. (mpt) (Entered: 10/01/2021)
10/04/2021		Set Deadlines Per DE#132. Responses due by 10/8/2021 (cqs) (Entered: 10/04/2021)
10/06/2021	133	NOTICE of Compliance <i>With Administrative Order (DE 132)</i> by City of Pompano Beach, Florida re 132 Administrative Order, (Burke, Michael) (Entered: 10/06/2021)
10/18/2021	134	PAPERLESS ORDER denying 124 the Motion for Reconsideration as moot in light of 133 the Defendant's Notice, in which the Defendant stipulated to the unconstitutionality of repealed City Code Section 100.35(C)(2). Signed by Judge Roy K. Altman on 10/18/2021. (mpt) (Entered: 10/18/2021)

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