

**IN THE SUPREME COURT OF FLORIDA**

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CASE NO. SC20-1284

L.T. CASE NOS.

4D19-1537

15<sup>TH</sup> Jud. Cir. 502018CA015447XXXXMB

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CITY OF WEST PALM BEACH,

Petitioner,

v.

Peter and Galina Haver,

Respondents.

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**RESPONDENTS' NOTICE OF FILING**

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Respondents, Peter and Galina Haver (“Respondents”), make as follows a notice of filing with respect to correspondence which Respondents sent to the trial court in connection with that court’s Notice of Lack of Prosecution, Court’s Motion to Dismiss, and Order Setting Hearing for September 24, 2021.

1. Respondents apparently did not take the requisite measures to keep the trial court appraised of the appellate proceedings in this case, assuming, in error, that the Clerks of the Fourth District Court of Appeal and the Florida Supreme Court would inform the trial court as to the status of the appellate proceedings.

2. Attached as an addendum to this Notice of Filing is the correspondence which Respondents addressed to the trial court, Judge Janis Brustares Keyser, so as to explain that the Fourth District Court of Appeal had, in part, reversed the trial court's dismissal of Respondents' claims for injunctive relief against Petitioner, the City of West Palm Beach, and that the Florida Supreme Court had accepted jurisdiction of the case. By way of such correspondence, Respondents sent to the trial court a copy of the Fourth District Court of Appeal's decision of June 10, 2020, together with this Court's Order of October 9, 2020, accepting jurisdiction.

3. Respondents apologize to the trial court and this Court if we have failed to comply with the requisite protocol necessary to keep the trial court apprised of the status of the appellate proceedings. We hope that any deficiency on our part has not caused the trial court or this Court unwarranted inconvenience.

#### CERTIFICATE OF SERVICE

RESPONDENTS HEREBY CERTIFY that a true and correct copy of the foregoing was served on July 4, 2021, by e-mail (via the Court's e-filing portal) upon Petitioner's counsel of record, Assistant City Attorney, Ms. K. Denise Haire, Office of the City Attorney, City of West Palm Beach, 401 Clematis Street, 5<sup>th</sup> Floor, West Palm Beach, FL 33401, upon counsel of record for the City of West Palm Beach, Mr. Joseph W. Jacquot, Gunster, Yoakley, Stewart, P.A. (jjacquot@gunster.com),

upon counsel of record for the City of Miami, Mr. John A. Greco, Deputy City Attorney ([jagreco@miamigov.com](mailto:jagreco@miamigov.com)), upon counsel of record for the City of Coral Gables, Ms. Frances G. De La Guardia, Holland & Knight LLP ([frances.guasch@hklaw.com](mailto:frances.guasch@hklaw.com)), upon counsel of record for Florida League of Cities, Edward G. Guedes, Weis, Serota, Helfman ([eguedes@wsh-law.com](mailto:eguedes@wsh-law.com)), upon counsel of record for the Miami Dade League of Cities, Sonja Dickens ([sdickens@miamigardens-fl.gov](mailto:sdickens@miamigardens-fl.gov)) and upon counsel of record for the State of Florida, Solicitor General, James H. Percival ([Jame.Percival@myfloridalegal.com](mailto:Jame.Percival@myfloridalegal.com)).

By: s/Peter M. Haver

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