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February 4, 2019

VIA HAND DELIVERY

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The Honorable Edward Nicholas
Circuit Judge
Manatee County Judicial Center
1051 Manatee Avenue West
Bradenton, Florida 34205

Re: Garrett, etc., et al. v University Park Recreation District
Case No.: 2019 CA 512

Dear Judge Nicholas:

I represent the defendant, University Park Recreation District, in the above-referenced matter. The plaintiff filed suit on Friday February 1. Enclosed please find the defendant's response to the request for injunction.

I understand the plaintiff has requested that this Court potentially consider entering an injunction against my client without a hearing. Under Rule 1.610 of the Florida Rules of Civil Procedure, an injunction without notice can only be issued in very limited circumstances not present here. See *Orange County v. Webster*, 503 So.2d 988 (Fla. 5th DCA 1987)(injunction without notice reversed in an election case where movant failed to demonstrate that immediate and irreparable injury would occur before the motion for injunction could be heard); *State v. Beeler*, 530 So.2d 932 (Fla. 1988)(a temporary injunction without notice is an extraordinary remedy and should be granted sparingly – including circumstances which “foreclose the opportunity for reasonable notice”). I am available for an emergency hearing at the convenience of the Court. On behalf of the defendant, I object to any proceedings or adjudication without notice. Please note that I contacted your judicial assistant on Friday February 1 to request that I be notified of any hearing on the consideration of the plaintiff's motion for injunction.



The Honorable Edward Nicholas
February 4, 2019
Page Two

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Johnson', with a large, sweeping flourish extending to the right.

Charles F. Johnson

Enclosures

cc: Sheryl A. Edwards, Esquire via email