



CITY OF DORAL NOTICE OF PUBLIC HEARING

All residents, property owners and other interested parties are hereby notified of a **Council Zoning Hearing** on **Wednesday, March 21, 2018 beginning at 6:00 PM**, to consider the following amendment to the Land Development Code Chapter 74 Miscellaneous and Supplementary Regulations", Article III, "Special Setbacks and Uses", Division 4, "Special Development Regulations for Certain Uses", Section 77-152 "Automobile and Truck Sales for New and Used Automobiles." The City Council will consider this item for **SECOND READING**. This meeting will be held at the **City of Doral, Government Center, Council Chambers located at 8401 NW 53rd Terrace, Doral, Florida, 33166**.

The City of Doral proposes to adopt the following Ordinance:

ORDINANCE No. 2018-02

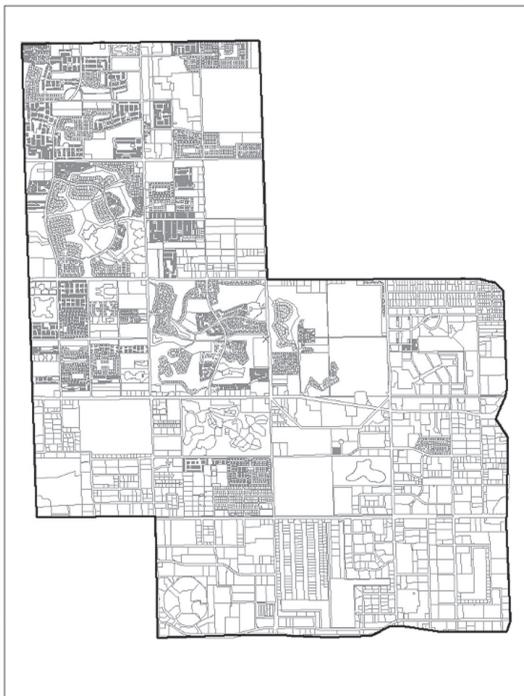
AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING AN AMENDMENT TO SECTION 74-152 OF THE CITY LAND DEVELOPMENT CODE, "AUTOMOBILE AND TRUCK SALES FOR NEW AND USED AUTOMOBILES," PROVIDING FOR REGULATIONS, AND REQUIRING SPECIAL EXCEPTION APPROVAL, FOR AUTOMOBILE DEALERSHIPS LOCATED ON SITES BETWEEN THREE-QUARTERS (3/4) AND TWO (2) NET ACRES; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

HEARING NO.: 18-03-DOR-07

APPLICANT: City of Doral

REQUEST: Amendment to the Land Development Code Chapter 74, Miscellaneous and Supplementary Regulations", Article III, "Special Setbacks and Uses", Division 4, "Special Development Regulations for Certain Uses", Section 74-152 "Automobile and Truck Sales for New and Used Automobiles." The proposed regulations only applies to automobile dealership located on a site between three-quarter (3/4) and two net acres in the City of Doral.

Location Map



Information relating the subject application is on file and may be examined in the City of Doral, Planning and Zoning Department Located at **8401 NW 53rd Terrace, Doral, FL. 33166**. All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the City Clerk, **8401 NW 53rd Terrace, Doral, FL. 33166**. Maps and other data pertaining to these applications are available for public inspection during normal business hours in City Hall. Any persons wishing to speak at a public hearing should register with the City Clerk prior to that item being heard. Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL.

Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

NOTE: If you are not able to communicate, or are not comfortable expressing yourself, in the English language, it is your responsibility to bring with you an English-speaking interpreter when conducting business at the City of Doral during the zoning application process up to, and including, appearance at a hearing. This person may be a friend, relative or someone else. A minor cannot serve as a valid interpreter. The City of Doral DOES NOT provide interpretation services during the zoning application process or during any quasi-judicial proceeding.

NOTA: Si usted no está en capacidad de comunicarse, o no se siente cómodo al expresarse en inglés, es de su responsabilidad traer un intérprete del idioma inglés cuando trate asuntos públicos o de negocios con la Ciudad de Doral durante el proceso de solicitudes de zonificación, incluyendo su comparecencia a una audiencia. Esta persona puede ser un amigo, familiar o alguien que le haga la traducción durante su comparecencia a la audiencia. Un menor de edad no puede ser intérprete. La Ciudad de Doral NO suministra servicio de traducción durante ningún procedimiento durante el proceso de solicitudes de zonificación.

Connie Diaz, CMC
City Clerk
City of Doral

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18-39/0000301200M

FROM THE COURTS

Robbins Geller Attacks Plaintiffs Firms Seeking Dubious Fees



Robbins Geller Rudman & Dowd partner David Wissbroecker derided the fee request as a "bold attempt to be paid a mootness fee" for filing an initial complaint in a case that no longer exists.

by Jenna Greene

Lawyers from plaintiffs powerhouse Robbins Geller Rudman & Dowd in court papers called out "a cadre of firms responsible for a dramatic explosion of federal deal litigation," and urged a federal judge in San Francisco to reject a fee request by fellow plaintiffs counsel.

It's a remarkable motion, laying bare tension on the plaintiffs' side as merger objection filings — many of dubious merit — have skyrocketed in the past two years in federal courts after Delaware Chancery Court judges quit rubber-stamping the settlements.

Robbins Geller "has no dog in this fight," wrote partner David Wissbroecker. Nonetheless, he sided with defense counsel from Latham & Watkins and Wilson Sonsini Goodrich & Rosati, urging U.S. District Judge Edward Chen of the Northern District of California to reject a \$350,000 fee request by Weisslaw LLP; Levi & Korsinsky; and Monteverde & Associates.

Wissbroecker derided their fee request as a "bold attempt to be paid a mootness fee for essentially filing an initial complaint in a case that no longer exists, and for which they were not appointed to lead."

He then spent nearly five pages listing examples of merger cases in 2017 alone where the firms stipulated to dismissal or voluntarily dismissed, "often asking federal courts to retain jurisdiction to award mootness fees as part of the very same pattern of conduct condemned in *Trulia* and *Walgreen*."

Whoa. That's harsh. And kind of awesome.

A little context:

In recent years, virtually every merger involving a publicly traded company has been hit with suits by shareholders claiming that company directors breached their fiduciary duty by agreeing to sell the business at an unfair price.

There would often be a hastily written complaint, a few case management conferences and a quickie settlement where stockholders got some supplemental proxy materials. The only money to change hands went to the plaintiffs lawyers, who'd get a nice, six-figure fee awarded by the court.

But the companies didn't necessarily mind. The settlements amounted to deal insurance, providing a broad release from future merger-related claims, plus a green light to close without worrying about getting hit with an injunction.

Indeed, in the motion on Friday, Wissbroecker noted that "certain defense counsel" [though not in this case] "have been complicit in encouraging (or at least not deterring) the tidal wave of federal M&A litigation that harkens back" to before the passage of the Private Securities Litigation Reform Act of 1995.

The thing is, the cases are sometimes garbage: one study showed that additional proxy materials have no impact at all on voting behavior.

Delaware used to be the forum of choice until judges there put the kibosh on the suits. "Such litigation serves no useful purpose for stockholders. Instead, it serves only to generate fees for certain lawyers," wrote Chancellor Andre Bouchard in early 2016, rejecting a disclosure-only settlement stemming from real estate website Zillow Inc.'s acquisition of Trulia Inc.

Which brings us to the current suit in San Francisco.

It stems from Broadcom's \$5.5 billion purchase of network gear maker Brocade Communications Systems Inc.

Six putative class actions were filed by Brocade shareholders, who said the proxy statements about the deal were incomplete and misleading, and that the acquisition undervalued Brocade.

In April 2017, Chen granted Robbins Geller's (unopposed) motion to be appointed lead counsel. And why not? The firm pioneered such M&A suits, recovering more than \$1 billion over the years for shareholders.

But not all cases are created equal.

On Dec. 29, 2017, Robbins Geller moved to voluntarily dismiss the Brocade complaint, a decision that Wissbroecker in court papers said came after "lead plaintiff and lead counsel thoroughly investigated the claims and facts and determined it was prudent, for several reasons" to do so.

Jenna Greene is editor of *The Litigation Daily*, an ALM affiliate of the *Daily Business Review*. Contact her at jgreene@alm.com.