

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO.:**

Plaintiff,

v.

Defendant.

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**ORDER OF COURT-MANDATED REQUIREMENTS  
IN AMERICANS WITH DISABILITIES ACT CASES**

This matter is before the Court *sua sponte*. The Plaintiff's claim arises out of an alleged violation of the Americans with Disabilities Act. To assist with the orderly and efficient management of this case, it is

ORDERED that within twenty-one days of this Order, the Plaintiff shall (1) file a statement of claim consisting of two double-spaced pages in which the Plaintiff shall summarize the alleged violation and the specific relief requested to cure the alleged violation; (2) serve the Defendant with a copy of this Order, the statement of claim, and copies of all documents supporting the claim (e.g., records and sworn affidavits); and (3) upon service of the previously mentioned documents, file a notice of compliance with the Court.

It is further ORDERED that, within fourteen days of the Plaintiff's compliance with the previously mentioned requirements, the Defendant shall file a response to the Plaintiff's statement of claim consisting of no more than two double-spaced pages and provide the Plaintiff with copies of all documents supporting its defenses. Upon compliance with these requirements, the Defendant shall file a notice of compliance with the Court.

It is further ORDERED that, within twenty-one days of this Order, the Plaintiff shall file a verified statement setting forth the following information:

1. The Plaintiff's counsel shall state whether the Plaintiff's counsel has conducted a search of case filings in the records of the Clerk of the United States District Court for the Southern District of Florida to ascertain whether the Defendant or the Defendant's property has ever been sued prior to the filing of this suit for alleged violations for the same, similar, or any

violations of the ADA. If such a search was not made prior to filing suit, the Plaintiff's counsel shall conduct such a search of the records and file a notice with the Court indicating the results of the search.

2. If there has been a prior suit of the nature previously referenced, the Plaintiff's counsel shall state the present status of that litigation if pending and, if not pending, the nature of the disposition (i.e., settlement, dismissal, or other).

3. If there was such litigation and it was disposed of by settlement, the Plaintiff's counsel shall furnish to the Court specific details of the settlement, including any agreement for attorneys' fees and costs, either known to or ascertainable with reasonable inquiry by the Plaintiff's counsel. Copies of these documents shall be furnished with the response to this order. The Plaintiff's counsel shall also inform the Court of whether the Defendant (and/or property owned by the Defendant and the subject matter of this suit) has complied with any settlement agreement and, if not, what actions the Defendant must take to comply with the settlement agreement entered into in the prior litigation.

4. The Plaintiff's counsel shall state what efforts were taken by the parties to the prior litigation to enforce the terms of any settlement agreement entered into in any prior litigation. Namely, the Plaintiff's counsel shall indicate whether the property owner made any of the necessary repairs to the property to try to bring it into compliance with the ADA, and if not, what efforts the parties in the prior litigation have taken to enforce the settlement agreement entered into in that prior litigation.

**Failure to comply with this order may result in default, dismissal, or the imposition of sanctions.**

DONE and ORDERED in Chambers, Miami, Florida, on \_\_\_\_\_

\_\_\_\_\_  
Paul C. Huck  
United States District Judge

Copies furnished to:  
Counsel of Record