

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 2025-001578-CA-01

JUDGE: Beatrice Butchko Sanchez (CA22)

GIANCARLO SCHWARZ and
DIANA SCHWARZ, as parents and
natural guardians of G.S., a minor

Plaintiffs,

vs.

CITY OF NORTH MIAMI BEACH,
a Political Subdivision of the State of Florida,

Defendant.

**MOTION TO COMPEL EXECUTED ANSWERS AND BETTER RESPONSE TO
PLAINTIFF'S REQUEST FOR PRODUCTION**

The Plaintiffs, GIANCARLO SCHWARZ and DIANA SCHWARZ, as parents and natural guardians of G.S., a minor, by and through their undersigned counsel, hereby move this Honorable Court to compel the Defendant, CITY OF NORTH MIAMI BEACH, to provide executed answers to Affirmative Defense Interrogatories and, to produce a better response to Plaintiff's Request For Production dated 10/7/25, numbers 1, 14, 18, 19, 20 and 22, and as grounds therefore states:

1. Plaintiff served Defendants with their Request for Production on 7/21/25.
2. On 10/7/25, the Defendants responded to Plaintiff's requests, however, offered incomplete responses to the following:
 - a. #1, 14, 18, 19, 20 and 22, by stating, "Documents responsive to this request will be produced on a rolling basis upon Defendant's receipt and compilation".

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3. First, responses were long overdue.
4. Second, Plaintiff is unable to complete discovery and/or prepare this case for trial due to the Defendant's non-compliance and/or incomplete responses.
5. Additionally, Defendant has not verified its answers to affirmative defense interrogatories as required.

Wherefore, for the good cause shown above, plaintiff hereby moves this honorable court for an order compelling the defendants to provide responsive documents to plaintiff's requests for production and verified answers to affirmative defense interrogatories.

1.202 (b) CERTIFICATE OF CONFERRAL

I HEREBY CERTIFY that, in accordance with Florida Rule of Civil Procedure 1.202(b), the undersigned attempted to confer with counsel for Defendant by sending an email and correspondence dated 10/8/25, along with a copy of this motion. However, as of this Motion's filing date, the parties have not been able to confer or agree on a resolution without court intervention.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was sent via E-Mail this October 20, 2025, to GREENSPOON MARDER LLP Ahmand R. Johnson, Esq., ahmand.Plaintiffs@gmlaw.com; joseph.geller@gmlaw.com; Attorneys for Defendant.

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By: /s/ Jeffrey R. Davis

Jeffrey R. Davis
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