



CIRCUIT COURT
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

RODOLFO A. RUIZ
CIRCUIT JUDGE

DADE COUNTY COURTHOUSE
73 WEST FLAGLER STREET
MIAMI, FLORIDA 33130

January 24, 2019

The Honorable Lindsey Graham
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Graham and Ranking Member Feinstein:

I have reviewed the questionnaire submitted to the Senate Judiciary Committee on May 23, 2018, in connection with my nomination to the United States District Court for the Southern District of Florida. Incorporating the additional information listed below, I certify that the information contained in these documents is, to the best of my knowledge, true and accurate.

Question 8:

The Florida Bar, In Appreciation for Your Service and Dedication as Chair of the Civil Procedure Rules Committee (2017 – 2018)

Question 12(d):

November 13, 2018: Speaker, "Lo Nuestro en La Ley -- A Roundtable Series," Hispanic National Bar Association, Miami, Florida. Outline supplied.

October 26, 2018: Speaker, "Your Oath and What It Means," Eleventh Judicial Circuit of Florida, Miami, Florida. Lecture at the Eleventh Judicial Circuit Committee on Professionalism and Civility's Sixth Annual New Attorney Breakfast CLE Seminar regarding best practices in and outside of the courtroom. I have no notes, transcripts, or recordings. The address for the Eleventh Judicial Circuit of Florida is 175 Northwest First Avenue, Miami, Florida 33128.

July 19, 2018: Speaker, "Getting a Jump Start on Pro Bono," Dade Legal Aid, Miami, Florida. My presentation to summer associates and law school students addressed the importance of pro bono work. I have no notes, transcripts, or recordings. The address for Dade Legal Aid is 123 Northwest First Avenue, Miami, Florida 33128.

May 31, 2018: Speaker, "Legal Writing: The 'Write' Way to Avoid Reversal," Florida College of Advanced Judicial Studies, Orlando, Florida. PowerPoint presentation supplied.

Question 13(b):

Citations to additional recent opinions that I have written:

J & C Imaging, Inc. v. State Farm Mut. Auto. Ins. Co., Case No. 16-296 AP 01, 26 Fla. L. Weekly Supp. 619(a) (Fla. 11th Cir. Ct. App., Oct. 9, 2018).

Biscayne Marine Partners, LLC v. City of Miami, et al., Case No. 17-335 AP 01, 26 Fla. L. Weekly Supp. 548(a) (Fla. 11th Cir. Ct. App., Sep. 11, 2018).

Sunset Land Associates, LLC v. Festa, Case No. 16-4547 CA 01 (02), 2018 WL 4523332, 26 Fla. L. Weekly Supp. 567(a) (Fla. 11th Cir. Ct., Aug. 4, 2018).

Trust Real Estate Ventures, LLC v. Desnick, Case No. 15-13196 CA 01 (02), 2018 WL 4523333, 26 Fla. L. Weekly Supp. 575(a) (Fla. 11th Cir. Ct., Jul. 2, 2018).

Covenant Baptist Church, Inc. v. Vasallo Const., Inc., Case No. 11-28905 CA 01 (02), 2018 WL 4523329, 26 Fla. L. Weekly Supp. 562(b) (Fla. 11th Cir. Ct., Apr. 30, 2018).

Blinc, Inc. v. AZ Miami Corp., Case No. 14-25595 CA 01 (02), 2018 WL 4523330, 26 Fla. L. Weekly Supp. 565(a) (Fla. 11th Cir. Ct., Apr. 25, 2018).

B&B Jewelry, Inc. v. Pandora Jewelry LLC, Case No. 16-32176 CA 01 (02), 2018 WL 4523331, 26 Fla. L. Weekly Supp. 569(a) (Fla. 11th Cir. Ct., Feb. 23, 2018).

Question 13(c):

Gavers v. Espacio Miami Prop., LLC, Case No. 14-10879 CA 01 (22), 2017 WL 3047581 (Fla. 11th Cir. Ct., June 8, 2017), *aff'd*, 252 So. 3d 219 (Fla. 3d DCA 2018) (per curiam).

On August 1, 2018, the Third District Court of Appeal affirmed my entry of directed verdict in favor of the defendant.

Question 13(d):

Matheson v. Miami-Dade Cty., Case No. 17-17478 CA 01 (22), 2017 WL 5586965 (Fla. 11th Cir. Ct., Nov. 14, 2017), *aff'd*, Case No. 3D17-2649, 2018 WL 4905225, at *1 (Fla. 3d DCA Oct. 10, 2018).

On October 10, 2018, the Third District Court of Appeal affirmed my dismissal of plaintiff's complaint.

McKenzie v. Fifteen Fla. Multifamily, LLC, Case No. 2011-21510 CA 01 (22), 2017 WL 2269130, 25 Fla. L. Weekly Supp. 252(a) (Fla. 11th Cir. Ct., May 13, 2017), *aff'd*, 254 So. 3d 386 (Fla. 3d DCA 2018).

On September 20, 2018, the Third District Court of Appeal affirmed my entry of summary judgment in favor of the defendant.

Question 14:

Pursuant to my Spousal Policy, I have automatically recused myself sua sponte or granted Motions to Disqualify upon request in the following additional matters:

Diaz v. United Auto. Ins. Co., Case No. 18-36951 CA 01 (02) (Fla. 11th Cir. Ct., Jan. 9, 2019) – Order of Recusal entered pursuant to Spousal Policy

Blacha v. Martins, Case No. 18-11774 CA 01 (02) (Fla. 11th Cir. Ct., Jan. 9, 2019) – Order of Recusal entered pursuant to Spousal Policy

Karagiannis v. Citizens Prop. Ins. Co., Case No. 18-33249 CA 01 (02) (Fla. 11th Cir. Ct., Jan. 3, 2019) – Order of Recusal entered pursuant to Spousal Policy

Smith v. SP Lincoln Fields, LP, et al., Case No. 16-12311 CA 01 (02) (Fla. 11th Cir. Ct., Aug. 22, 2018) – Order of Recusal entered pursuant to Spousal Policy

Rodriguez v. Safepoint Ins. Co., Case No. 18-11289 CA 01 (02) (Fla. 11th Cir. Ct., June 2, 2018) – Order of Recusal entered pursuant to Spousal Policy

Additional Motions to Disqualify:

Data Payment Systems, Inc. v. Brodsky, et al., Case No. 16-20026 CA 01 (02) (Fla. 11th Cir. Ct., Jul. 26, 2018). Plaintiff's corporate representative felt that by granting a defense continuance on the eve of trial due to discovery issues I had demonstrated bias, and alleged that comments I made regarding plaintiff's pleading deficiencies had given him cause to believe his company would be treated unfairly. I granted the motion given that it satisfied the procedural requirements of Florida Rule of Judicial Administration 2.330.

Tucker v. Manicore Industries, Inc., et al., Case No. 15-9540 CA 01 (02) (Fla. 11th Cir. Ct., Jul. 9, 2018). A third party defendant, representing himself pro se, filed a motion to disqualify taking issue with a discovery ruling I had made. Given that the motion failed to allege facts sufficient to produce a reasonable fear that the defendant could not obtain a fair hearing, and instead took issue with my prior ruling, I denied the motion under Rule 2.330.

Additional Sua Sponte Recusals:

Stern v. City of Miami Beach, et al., Case No. 16-26031 CA 01 (02) (Fla. 11th Cir. Ct., Jul. 2, 2018). Given that the case involved Mayor Philip Levine, who I had sworn into office as Mayor of Miami Beach during my term as a County Court Judge, I recused myself in order to avoid any appearance of impropriety.

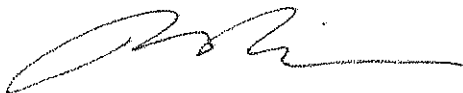
American Builders & Contractors Supply Co., Inc. v. Segovia Condo. Assoc. II, Inc., Case No. 17-29528 CA 01 (02) (Fla. 11th Cir. Ct., May 24, 2018). Based upon a notice of appearance filed on May 24, 2018, it came to my attention that my spouse was representing the defendant. Accordingly, pursuant to the Florida Code of Judicial Conduct, I recused myself from further consideration of the case.

Question 26(a):

On July 20, 2018, I testified before the Senate Judiciary Committee concerning my nomination. The record and copy of my Questions for the Record are available at <https://www.judiciary.senate.gov/meetings/06/20/2018/nominations>.

I am also forwarding an updated net worth statement and financial disclosure report. I thank the Committee for its consideration of my nomination.

Sincerely,



Judge Rodolfo A. Ruiz II