



CIRCUIT COURT  
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

RODNEY SMITH  
CIRCUIT JUDGE

DADE COUNTY COURTHOUSE  
73 WEST FLAGLER STREET  
MIAMI, FLORIDA 33130

January 24, 2019

The Honorable Lindsey Graham  
Chairman  
Committee on the Judiciary

The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary

United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510-6050

Dear Chairman Graham and Ranking Member Feinstein:

I have reviewed the questionnaire submitted to the Senate Judiciary Committee in September of 2018 in connection with my prospective 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 12 (d)**

November 28, 2018: Inductor and Speaker, Oath of Office for Chris Davis, Sherbondy Village Auditorium, Opa-Locka, Florida. I gave brief remarks prior to administering the oath of office to Opa-Locka Vice Mayor Chris Davis. I have no notes, transcript, or recording. The address for Sherbondy Village Auditorium is 215 N Perviz Avenue, Opa-Locka, Florida 33054.

October 10, 2018: Inductor, 5000 Role Models of Excellence Project, Miami Central Senior High School, Miami, Florida. I administered the pledge to induct and welcome the new 5000 Role Models of Excellence Project students at Miami Central Senior High School. I have no notes, transcript, or recording. The address for 5000 Role Models of Excellence Project is 1450 NE Second Avenue, Room 227, Miami, Florida 33132.

**Question 13 (f)**

The following cases in which the appellate court reversed the trial court:

*U.S. Bank v. Raheb*, 2018 WL 5930419 (Fla. 3rd DCA 2018). The appellate court reversed because the trial court erred in dismissing the Trust's foreclosure action with prejudice, as well as the subsequent order denying the plaintiff's motion for rehearing. A copy of the order is supplied.

*Falcon v. Wilmington Savings Fund Soc.*, 2018 WL 6071876 (Fla. 3rd DCA 2018). The appellate court reversed an entry of final judgment in favor of the lender because the judicial default entered against the borrower did not allow the borrower a sufficient amount of time to respond to the motion for default. A copy of the order is supplied.

*Geico v. Perez*, 2018 WL 4495557 (Fla. 3rd DCA 2018). In not instructing the jury accordingly, the appellate court affirmed in part, reversed in part, and remanded for a new trial on the issue of whether Perez made a knowing, written rejection of Uninsured Motorist (UM) coverage when procuring the Geico automobile policy. A copy of the verdict is supplied.

**Question 14**

The following case in which the court assessed the necessity of recusal.

*Praca v. SafePoint Ins. Co.*, 2018-013490 CA 01

In this breach of contract action, the defendant's attorney alleged that the court engaged in ex parte - communications with the plaintiff's lawyer about the subject matter of the litigation without the consent of SafePoint. SafePoint alleged that it served a notice of unavailability; however, it failed to notice or set a hearing before the court. The motion was denied as legally insufficient.

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

Sincerely,



Rodney Smith  
Circuit Judge