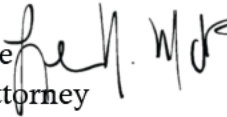




MEMORANDUM

DATE: March 19, 2024

TO: Raied “Ray” Jadallah
Fire Chief, Miami-Dade Fire Rescue

FROM: Leona N. McFarlane 
Assistant County Attorney

RE: Tony Ibanez v. Miami-Dade County
Court Case No. 21-cv-22850-KMW

I am pleased to inform you that all claims raised in this lawsuit have been resolved in favor of Defendants Miami-Dade County and Lt. Yvette “Desiree” Lindauer. On August 4, 2021 Firefighter Tony Ibanez filed a Complaint against the Miami-Dade Fire Rescue Department and Miami-Dade County. The complaint allegations were so explicit and egregious that they were featured on Fire Law Blog, which published many of them the very next day. On February 7, 2022 Ibanez amended his complaint and alleged nine counts against Miami-Dade County and Lt. Lindauer for race/color discrimination, hostile work environment harassment, retaliation, disability discrimination and retaliation, and workers’ compensation retaliation. Ibanez sought \$254,178 for lost earnings, \$1,600,000.00 for emotional distress, and unspecified attorneys’ fees and costs.

On March 31, 2023 the Court granted the County’s motion for summary judgment and dismissed eight of the nine counts in Ibanez’s amended complaint, including all claims against Lt. Lindauer, individually. On July 5, 2023 the case went to trial on the remaining count— Ibanez’s claim of race/color discrimination against the County. After reviewing the evidence and hearing testimony from Ibanez, Ibanez’s wife, Lt. Lindauer, Chief Maria Chin, Chief Daniel Bolline, Lt. Donald Conley, Jr., FF Jacinto Hernandez, and Capt. Meregildo Gonzalez, the jury rejected Ibanez’s allegations and issued their verdict:

Count I – Racially Hostile Work Environment

Do you find from a preponderance of the evidence:

1. That Mr. Ibanez’s supervisor harassed Mr. Ibanez because of his race
and/or color?

Answer Yes or No NO

Ibanez and his attorneys did not appeal the jury’s verdict and the Court entered Final Judgment in favor of Miami-Dade County and against Tony Ibanez on September 25, 2023. On March 8, 2023, the Court entered the attached Order Granting Defendant’s Motion to Tax Costs, awarding the County **\$5,467.95** for the taxable costs it incurred defending against Ibanez’s lawsuit. Our office will now close its file on this case.

I would like to note that this entire case exemplified the type of teamwork and professionalism that I have been spoiled by in all my experiences representing MDFR.

- Chief Rowan Taylor, Chief Maria Chin (both retired), and Ivonne Villar served as my department contacts throughout the case and assisted with gathering documents, identifying potential witnesses, and serving or responding to discovery requests and witness subpoenas.
- Capt. Nicky Latimore, Chief Daniel Bolline, and Chief Arthur Holmes provided deposition testimony during discovery that was instrumental in several counts being dismissed before trial.
- Maria Jose, Lt. Olga Love, Lt. Jose Menendez, Lt. Sean Parr, Lt. Darwin Villavicencio, Chief Robin Duren, Capt. Gonzalez, FF Hernandez, Lt. Conley, Jr., and FF Ricardo Cruz all set aside time speak with me in preparation for trial, provided me with honest background information, and agreed to make themselves available to testify if needed for trial.

They all have my sincere thanks and appreciation.

Please notify Ibanez of his **\$5,467.95** debt and make arrangements for repayment. If collection efforts are not successful, please let me know so that our office can record the costs judgement with the Miami-Dade County Record's Office to preserve Miami-Dade County's right to collect.

cc: Assistant County Attorney William X. Candela, Chief, Employment Discrimination,
Labor & Elections Section
Lt. Yvette "Desiree" Lindauer