

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
LEE COUNTY, FLORIDA CIVIL ACTION

SCOTT HUMINSKI,

Plaintiff,

v.

CASE NO. 17-CA-000421

TOWN OF GILBERT, AZ, et al.

Defendants.

**DEFENDANT MIKE SCOTT'S MOTION TO PROHIBIT PLAINTIFF FROM DIRECTLY
CONTACTING, COMMUNICATING WITH, OR OTHERWISE
SERVING MATERIALS DIRECTLY UPON
SHERIFF MIKE SCOTT, HIS AGENTS, SERVANTS AND EMPLOYEES**

Defendant, MIKE SCOTT, individually and as Sheriff Lee County, Florida, hereby files his Motion to prohibit Plaintiff from Directly Contacting, Communicating With, or Otherwise Serving Materials Directly upon SHERIFF MIKE SCOTT, his Agents Servants and Employees and states as follows:

1. Plaintiff, SCOTT HUMINSKI, has commenced this action, the latest in a series of frivolous actions, against fourteen Defendants under a variety of extraordinary theories and claims. He has been contacting SHERIFF SCOTT, his deputies, and staff in a pattern of harassment which impairs the Defendant's ability to conduct its law enforcement affairs. Over the past year, HUMINSKI has sent 556 emails to the SHERIFF'S OFFICE. This conduct is consistent with HUMINSKI's well-documented history of abusive litigation practices. See, e.g., Huminski v. Vermont, 2014 WL169848,*5 (M.D. Fla., January 15, 2014).

2. The undersigned has contacted HUMINSKI, confirming his representation of SHERIFF SCOTT and his staff, and advising that all correspondence should be directed to the undersigned as counsel. Plaintiff has rejected this request.

3. Pursuant to Rule 1.080, Florida Rules of Civil Procedure, service upon a party represented by an attorney shall be made upon the attorney unless service upon the party is ordered by the court. Service shall be made by delivering a copy of the paper to the attorney's last known address. Id.

4. By ensuring that all pleadings and papers served by Plaintiff in this matter are served upon counsel rather than the SHERIFF and his staff directly, judicial economy will be promoted, the SHERIFF and his staff will be relieved from harassment and burden, and the public will be served by allowing the SHERIFF and his staff to direct their attention to law enforcement activities.

WHEREFORE, Defendant, MIKE SCOTT, individually and as Sheriff Lee County, Florida, requests that the court prohibit Plaintiff from directly contacting, communicating with, or otherwise serving materials on the LEE COUNTY SHERIFF'S OFFICE, SHERIFF MIKE SCOTT, or his agents, servants, and employees.

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of Court using the E-Filing Portal System which will send a notice of electronic filing to the following:

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this 29th day of March, 2017.

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