

# RESOLUTION NO 2024 - 042

## CITY OF LAKE CITY, FLORIDA

**A RESOLUTION OF THE CITY OF LAKE CITY, FLORIDA APPROVING THAT CERTAIN STIPULATION FOR SUBSTITUTION OF COUNSEL IN THAT LEGAL ACTION STYLED JOHN MYERS AMUSEMENTS, LLC, VERSUS THE CITY OF LAKE CITY, FLORIDA, ET AL (CASE NO. 23-521-CA, THIRD JUDICIAL CIRCUIT, COLUMBIA COUNTY, FLORIDA); MAKING CERTAIN FINDINGS OF FACT IN SUPPORT OF THE CITY APPROVING SAID STIPULATION; RECOGNIZING THE AUTHORITY OF THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID STIPULATION; DIRECTING THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID STIPULATION; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Lake City ("City") was named as a defendant in that certain legal action styled John Myers Amusements, LLC, versus The City Of Lake City, Florida, et al (Case No. 23-521-CA, Third Judicial Circuit, Columbia County, Florida) (the "Legal Action"); and

WHEREAS, the City's prior City Attorney, Thomas J. Kennon III of the law firm Robinson, Kennon & Kendron, P.A. appeared on behalf of the City to represent the City's interests in the Legal Action; and

WHEREAS, Thomas J. Kennon III is no longer the City's City Attorney; and

WHEREAS, the law firm of Folds Walker, LLC is now the City's City Attorney; and

WHEREAS, Danielle C. Adams is an attorney associated with the law firm of Folds Walker, LLC; and

WHEREAS, said Danielle C. Adams seeks leave of court by stipulation to be substituted as legal counsel to represent the City's interests in the Legal Action; and

WHEREAS, it is necessary for the City as a named party in the Legal Action to consent to the referenced stipulation for substitution of counsel in the form attached as the Exhibit hereto; and

WHEREAS, the City desires to stipulate to the referenced substitution of counsel by adopting the terms of the stipulation for substitution of counsel in the form of the Exhibit attached hereto (the "Stipulation"); and

WHEREAS, stipulating to the substitution of counsel is in the public interest and in the interests of the City; now therefore

BE IT RESOLVED by the City Council of the City of Lake City, Florida:

1. Stipulating to the substitution of counsel pursuant to the Stipulation is in the public or community interest and for public welfare; and
2. In furtherance thereof, the Stipulation in the form of the Exhibit attached hereto should be and is approved by the City Council of the City of Lake City; and

3. The Mayor of the City of Lake City is the officer of the City duly designated by the City's Code of Ordinances to enforce such rules and regulations as are adopted by the City Council of the City of Lake City; and
4. The Mayor of the City of Lake City is authorized to execute on behalf of and bind the City to the terms of the Stipulation; and
5. The Mayor of the City of Lake City is directed to execute on behalf of and bind the City to the terms of the Stipulation; and
6. All prior resolutions of the City Council of the City of Lake City in conflict with this resolution are hereby repealed to the extent of such conflict; and
7. This resolution shall become effective and enforceable upon final passage by the City Council of the City of Lake City.

APPROVED AND ADOPTED, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lake City, Florida, at a regular meeting, this \_\_\_\_ day of May, 2024.

BY THE MAYOR OF THE CITY OF LAKE CITY,  
FLORIDA

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Stephen M. Witt, Mayor

ATTEST, BY THE CLERK OF THE CITY OF LAKE CITY,  
FLORIDA:

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Audrey Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

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Clay Martin, City Attorney

IN THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT,  
IN AND FOR COLUMBIA COUNTY, FLORIDA

CASE NO.: 23-521-CA

JOHN MYERS AMUSEMENTS, LLC  
Plaintiff,

v.

THE CITY OF LAKE CITY, FLORIDA,  
a municipal corporation; DR. ARGATHA  
GILMORE, in her capacity as Chief of Police  
of the City of Lake City, Florida; COLUMBIA  
COUNTY, a subdivision of the State of Florida;  
MARK HUNTER, in his capacity as Sheriff of  
Columbia County, an agency of Columbia  
County, Florida,  
Defendants.

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**STIPULATION FOR SUBSTITUTION OF COUNSEL**

**COMES NOW**, Danielle C. Adams, Esq. and Folds Walker, LLC, and Thomas J. Kennon, III, Esq. and Robinson, Kennon & Kendron, P.A. and pursuant to Florida Rule of Judicial Administration 2.505(e)(3) hereby enter into this Stipulation which would allow Danielle C. Adams, Esq. to be substituted as the attorney of record for the Defendant, the City of Lake City, Florida, in place of Thomas J. Kennon, III and Robinson, Kennon & Kendron, P.A.

Dated this \_\_\_\_ day of May 2024.

**FOLDS WALKER, LLC**

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Danielle C. Adams, Esq.  
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**ROBINSON, KENNON & KENDRON, P.A.**



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[alj@rkkattorneys.com](mailto:alj@rkkattorneys.com)

CONSENT

We hereby consent to the substitution of Danielle C. Adams, Esq. and Folds Walker, LLC in place of Thomas J. Kennon, III, Esq. and Robinson, Kennon & Kendron, P.A. as my attorneys of record.

Stephen Witt, Mayor for and on behalf of  
The City of Lake City, Florida, Defendant

EXHIBIT