

Daily Business Review

August 5, 2010

MIAMI-DADE THURSDAY, AUGUST 5, 2010

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An ALM Publication VOL. 85, NO. 38 \$2.00

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DAILY BUSINESS REVIEW

STATE HOUSE RACE Candidate off ballot for failing to resign Doral seat

A judge has booted Democrat Sandra Ruiz off the ballot and out of the state House District 112 primary, siding with opponents who accused her of failing to resign from the Doral City Council in time to run.

Miami-Dade Circuit Judge Jerald Bagley determined Wednesday that Ruiz violated the state's resign-to-run law, which requires an elected official seeking another elective office to submit a resignation letter at least 10 days before the start of the election qualifying period.

The Doral councilwoman fought two similar lawsuits filed in June by Democratic candidate Johnny G. Farias and Republican candidate Jeanette Nuñez. Unfazed by the ruling, Ruiz said, "My campaign continues, and I consider myself a candidate."

Ruiz, who will reach her city term limit in November, argued she did not have to file a resignation letter. She hired Miami solo practitioner Benedict P. Kuehne and Fort Lauderdale attorney Joe Geller of Greenspoon Marder, who argued the claims were based on a misreading of law.

In his order, the judge said Ruiz should have submitted a letter.

Kuehne, Geller and Ruiz did not return calls for comment.

The decision "was right on the money," said Nuñez's attorney, state Rep. Juan-Carlos Planas, R-Miami.

Miami solo practitioner William Peña Wells, representing Farias, said the ruling was "totally a straightforward issue of statutory interpretation."

The order was stayed until Aug. 11 to give Ruiz time to appeal.

— Jose Pagliery