

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2021-015089-CA-01

SECTION: CA43

JUDGE: Michael Hanzman

**Manuel Drezner**

Plaintiff(s)

vs.

**Champlain Towers South Condominium Association Inc**

Defendant(s)

**ORDER AUTHORIZING RECEIVER TO TERMINATE CONTRACT WITH  
SWAYSLAND PROFESSIONAL ENGINEERING CONSULTANTS, INC., DEEMING  
RELATED OBLIGATIONS SATISFIED AND ORDERING REFUND OF INITIAL  
PAYMENT TO ASSOCIATION**

**THIS CAUSE** came before the Court on July 21, 2021 at 9:00 a.m. (the “Hearing”) on a motion filed by Michael I. Goldberg (the “Receiver”) seeking authorization to terminate the Contract<sup>[1]</sup> entered into between and among the Champlain Towers South Condominium Association, Inc. (the “Association”) and Swaysland Professional Engineering Consultants, Inc. (“Swaysland”), as a result of the fundamental purpose of the Contract, to conduct an examination of the doors and windows/sliding glass doors at the Property and render a report thereon, has been frustrated and to deem all obligations under the Contract deemed satisfied (the “Motion”). In the Motion, and at the Hearing, the Receiver explained that Swaysland was to commence rendering the Contemplated Services on June 28, 2021, and that the Association had made an Initial Payment to Swaysland of \$6,000.00. The Receiver further explained that Swaysland consents to the relief requested in the Motion, and has agreed to refund the Initial Payment to the Association. For the reasons announced on the record of the Hearing, which are incorporated as though fully set forth herein, the Court

**ORDERS, ADJUDGES, AND DECREES** as follows:

1. The Receiver is authorized to terminate the Contract entered into between and among the Association, as customer, and the Bank, as service provider, on or about May 17, 2021. Entry of this Order on the docket of the Court shall constitute a termination of the Contract and its enforceability by Swaysland and by Association or by any successor or assigns of Swaysland or Association, if any.
2. Any and all obligations due and owing to Swaysland by the Association and by Swaysland to the Association under the Contract are deemed satisfied in full.
3. Swaysland shall refund to the Association the Initial Payment of \$6,000.00 within fourteen (14) calendar days of entry of this Order on the Court's docket by issuing a check made out to "Michael I. Goldberg, Receiver," and mail same to the Receiver at the following address: Akerman, 201 East Las Olas Boulevard, Suite 1800, Ft. Lauderdale, FL 33301, Attn: Michael I. Goldberg, Esq.
4. This Court shall retain jurisdiction of this matter for all purposes.

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[\[1\]](#) All capitalized terms not defined herein shall have the meanings ascribed to them in the Motion.

**DONE** and **ORDERED** in Chambers at Miami-Dade County, Florida on this 21st day of July, 2021.



2021-015089-CA-01 07-21-2021 9:30 PM

2021-015089-CA-01 07-21-2021 9:30 PM

Hon. Michael Hanzman

**CIRCUIT COURT JUDGE**

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

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