

**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)

**AMENDED ORDER AUTHORIZING RECEIVER TO REFUND SPECIAL
ASSESSMENT PAYMENTS RECEIVED FROM UNIT OWNERS FOR COMMON
AREA AND 40-YEAR CERTIFICATION PROCESS**

THIS CAUSE came before the Court in Chambers in Miami, Florida on a motion filed by Michael I. Goldberg (the “**Receiver**”) seeking entry of an Order amending the Court’s July 14, 2021 *Order Authorizing Receiver to Refund Special Assessment Payments Received Unit Owners for Common Area and 40-Year Certification Process* [Filing # 130682518] (the “**Initial Order**”) authorizing the Receiver to (i) return the 2021 Special Assessment Unit Owner Payments^[1] to the Unit Owners in the amounts reflected on **Exhibit B** to the Initial Motion with the exception of \$115,470.00 to the owner(s) of Unit 709 because the unit owner(s) reversed payment of a check in that amount sent to the Association; and (ii) use \$49,511.26 from the 6161 Account to fund the Shortfall.

Having reviewed the Motion to Amend, the Court finds good cause exists for entry of this Amended Order. Accordingly, the Court

ORDERS, ADJUDGES, AND DECREES as follows:

1. The Motion to Amend is **GRANTED**.
2. This Order replaces and supersedes the Initial Order.
3. The Receiver is authorized to refund the Special Assessment Proceeds (*with the exception of \$115,470.00 to the owner(s) of Unit 709*) to the Unit Owners in the amounts identified in **Exhibit B** to the Initial Motion.
4. To the extent that any individual unit owner(s) who paid all or some of the Special Assessment attributable to him or her and that individual unit owner(s) passed away as a result of the tragic collapse on June 24, 2021, the Receiver is authorized to refund the special assessment to the applicable decedent's estate at such time as the estate is opened and a personal representative is appointed.
5. The Receiver is authorized to use \$49,511.26 from the 6161 Account to fund the Shortfall.
6. This Court shall retain jurisdiction of this matter for all purposes.

[1] All capitalized terms not defined in this Order shall have the meanings ascribed to them in the *Receiver's Motion for Authorization to Refund Special Assessment Payments* (the "**Initial Motion**") and/or the *Receiver's Motion for Amended Order Authorizing Receiver to Refund Special Assessment Payments Received From Unit Owners for Common Area and 4-Year Certification Process* (the "**Motion to Amend**") which gave rise to entry of this Order, as applicable.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 15th day of July, 2021.



2021-015089-CA-01 07-15-2021 6:01 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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