

**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)

_____ /

CONSENT ORDER

THIS CAUSE comes before the Court on the joint application, and with the consent, of Michael I. Goldberg, Esq. (the “Receiver”), as the Court-Appointed Receiver for the Champlain Towers South Condominium Association, Inc. (the “Association”), and Great American Insurance Company (“Great American”). Following a complete review of the entire record, and upon consideration thereof, and being otherwise duly advised in the premises, the Court hereby

FINDS AND DETERMINES THAT:

- A. This Court has jurisdiction over the parties and subject matter of these actions, and venue is proper.
- B. The Association maintains commercial property insurance for property located at 8777 Collins Ave., Surfside, Florida, known as the Champlain Towers South, under Great American commercial property policy number MAC E658359 00 00 (the “Policy”).
- C. The Policy, which insures direct physical loss of or damage to covered property at

the Champlain Towers South, went into effect on December 28, 2020, and was in effect on the date of the loss in question.

- D. The Policy does not insure the Association against claims for bodily injury or damage to the property of others, and does not require Great American to provide the Association with a defense or indemnification under any circumstances.
- E. The Policy provides replacement cost coverage for the property identified on the Schedule of Locations, Form SB 81 18 (Ed. 05/16), in the total amount of \$30,704,900. In addition, the Policy includes certain Supplementary Coverages, identified on Form SB 86 96 (Ed. 11/97). These Supplementary Coverages, which total \$152,500, apply in addition to the limits set forth in the Schedule of Locations. Finally, the Policy also provides Ordinance or Law Coverage, as set forth on Form SB 82 61 (Ed. 05/16), in the amount of \$500,000.
- F. The Association filed an insurance claim with Great American following the collapse of the Champlain Towers South on June 24, 2021, seeking coverage for the loss under the terms of the Policy.
- G. Great American subsequently was named as a defendant in the action commenced by Rosa Ana Quesada, which seeks a declaration as to the extent of coverage under the Policy.
- H. Great American has agreed to tender \$31,357,400 to the Association in full and final satisfaction of the insurance claim, which represents the total amount of coverage available under the Policy.
- I. This Order is limited to the Policy identified herein and shall not affect Great American Insurance Company's or the Association's rights or obligations under any other policy of insurance whether issued to the Association or others.

IT IS ORDERED, ADJUDGED, AND DECREED, effective as of the date of this Order, as follows:

1. Great American is directed to issue payment in the amount of \$31,357,400 to the Receiver, who shall deposit the funds in his attorney trust account.
2. The Receiver shall petition the Court prior to any disbursement of the insurance proceeds.
3. Great American is discharged of and from all further liability regarding the insurance claim and payment of the insurance proceeds under the Policy.
4. Great American is hereby dismissed with prejudice from the Quesada action.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 12th day of August, 2021.



2021-015089-CA-01 08-12-2021 6:29 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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