

**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 GRANTING RECEIVER'S EMERGENCY MOTION FOR ENTRY OF ORDER  
AUTHORIZING RECEIVER TO SIGN PERMIT APPLICATION REQUESTED BY  
MIAMI-DADE COUNTY AUTHORIZING BOFAM CONSTRUCTION COMPANY,  
INC. TO UNDERTAKE EMERGENCY WORK TO BRACE THE WEST RETAINMENT  
WALL AT THE PROPERTY**

**THIS CAUSE** came before the Court on September 1, 2021 at 9:00 a.m. in Miami, Florida, upon the *Receiver's Emergency Motion for Entry of Order Authorizing Receiver to Sign Permit Application Requested by Miami-Dade County Authorizing Bofam Construction Company, Inc. to Undertake Emergency Work to Brace the West Retainment Wall at the Property* (the "**Motion**") filed by Michael I. Goldberg (the "**Receiver**") seeking entry of an Order authorizing the Receiver to sign a permit application requested by the Miami-Dade County Department of Regulatory and Economic Resources (the "**County**") authorizing Bofam Construction Company, Inc. ("**Bofam**") to undertake emergency work to brace the West retainment wall at the former site of the Champlain Tower South Condominium located at 8777 Collins Avenue, Surfside, Florida 33154 (the "**Property**"). The Court, having considered the Motion, having heard the argument of counsel, and being otherwise fully advised in the premises, it is thereupon

**ORDERS** as follows:

1. The Motion is Granted is **GRANTED**.
2. The Receiver is authorized to approve or sign-off on the Permit Application<sup>1</sup>, the form of which is attached to the Motion as Exhibit “C”.
3. The County and Bofam shall undertake all work in such a way as to address life safety issues while preserving all evidence that may be probative on the issue of the cause of the catastrophic collapse as contemplated by the Court’s prior Order dated July 1, 2021.
4. Parties-in-interest may access that portion of the Property where the work by Bofam is to take place to view and/or film the west retaining wall in its current state prior to commencement of such work subject to each party-in-interest (or their representative) executing a release and hold harmless agreement prior to entering the Property releasing the Receiver and Miami-Dade County from any and all claims that may arise by virtue of them entering the Property; providing the Receiver and County with an insurance policy in the amount of \$2 million naming both Miami-Dade County and the Receiver as additional insureds under such policy; and agreeing to be bound by the Access Protocol with respect to it or its agents entering the Property. Under no circumstance shall the Receiver or Miami-Dade County have any liability whatsoever in the event a person entering the Property is injured while on the Property. Notwithstanding anything else in this order, Access to the Property shall be subject to the control and supervision of the Miami Dade Police Department and the Receiver.
5. This Court shall retain jurisdiction of this matter for all purposes.

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed in the Motion.

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida on this 2nd day of September, 2021.



2021-09-02 4:05 PM

2021-015089-CA-01 09-02-2021 4:05 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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