

**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

In Re:

Champlain Towers South Collapse Litigation

**RECEIVER'S MOTION FOR ENTRY OF ORDER ACCEPTING
POSSESSION AND CONTROL OVER PROPERTY FROM MIAMI-DADE COUNTY**

Michael I. Goldberg (the "Receiver"), pursuant to Rule 4 of the Complex Business Litigation Rules, seeks entry of an Order accepting possession and control over the property located at 8777 Collins Avenue, Surfside, Florida 33154 ("Property") from Miami-Dade County (the "County") and states as follows:

1. At a hearing conducted on July 2, 2021 (the "Commencement Date"), in the captioned cases, the Court ordered the appointment of Michael I. Goldberg as Receiver for the Champlain Towers South Condominium Association. Following the hearing, the Court entered an order formally appointing Mr. Goldberg as Receiver.

2. This receivership is the result of multiple lawsuits that were filed after the tragic collapse of a portion of the condominium structure at the Property on June 24, 2021.

3. The County has exercised certain control over the Property since the collapse and has, at its own cost and expense, performed various elements of work on the Property, including but not limited to: (1) work to shore and support the remaining foundation walls; (2) installation of security fencing; (3) dewatering; (4) demolition of a portion of the condominium structure; and (5) removal of debris.

4. The Receiver seeks to accept control over the Property on October 20, 2021 at 12:00 p.m. The Receiver takes the Property in as-is condition, without any representations or warranties from the County.

5. Thereafter, the Receiver will be fully responsible for control over the Property, including, but not limited to, securing the Property, allowing and/or denying access to the Property, maintaining the Property and overseeing the testing protocols and/or other activities occurring on the Property.

6. Upon the Receiver accepting control over the Property, the County will relinquish certain control of the Property.

7. The Receiver has conferred with the County, and the County does not object to this motion.

8. This Court shall maintain jurisdiction to resolve disputes and address issues that may arise relating to the Property.

WHEREFORE the Receiver respectfully requests this Court grant this Motion, whereby the Receiver accepts full control over the Property and the County relinquishes control of the Property as of 12:00 p.m. October 20, 2021 as set forth herein. The Receiver respectfully requests this Court grant any other and further relief the Court deems just and proper.

Respectfully submitted,

/s/ Michael I. Goldberg
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Court-Appointed Receiver

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 19, 2021, a copy of the foregoing was electronically filed with the Clerk of Court by using the Florida Courts E-Filing Portal and a copy of same was furnished to all counsel of record through the Florida Court's E-Filing Portal.

By: s/ Michael I. Goldberg
Michael I. Goldberg