

**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**

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**RECEIVER'S MOTION FOR ENTRY OF AN ORDER AUTHORIZING  
MIAMI-DADE COUNTY TO DISPOSE OF RUBBLE THE COUNTY  
HAS DEEMED AS HAVING LESS SIGNIFICANT EVIDENTIARY VALUE**

Michael I. Goldberg (the "Receiver"), pursuant to Rule 4 of the Complex Business Litigation Rules, seeks entry of an Order authorizing Miami-Dade County to dispose of rubble the County has categorized as having less significant evidentiary value. In support thereof, the Receiver states:

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 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 real property with a physical address of 8777 Collins Avenue, Surfside, Florida 33154 (the "Property").
3. Following the collapse of the Champlain Tower South Condominium, rubble was moved to two off-site County locations. Rubble deemed to be of less significant evidentiary value by the County, after consultation with the National Institute of Standard and Technology (NIST), as well as an independently contracted forensic engineer, was moved to and is being stored by the County at an outdoor lot. Rubble which was deemed by the County, after consultation with NIST and the

independently contracted forensic engineer, to have significant evidentiary value was moved to an indoor warehouse.

4. Over the past several months, the County, through the Miami-Dade Police Department, has carefully and thoroughly sifted through the rubble at the outdoor lots and is confident that all human remains and items of value have been recovered.

5. The County arranged a visit to the off-site location so that victims and family members of the Surfside collapse could view the process undertaken to retrieve items of value from the rubble.

6. The County has expressed its intent to clear the outdoor lot in approximately one month and seeks authorization to dispose of the rubble deemed to be of less significant evidentiary value.

7. In an effort to ensure that no property that any expert or party in interest may deem significant is discarded, the Receiver will provide notice, along with an agreed upon access protocol, to all experts and parties in interest so that they may have an opportunity to access the off-site lot, view the rubble, and raise any objections prior to the County disposing of the rubble on the outdoor lot. The County has indicated it has no objection, subject to the consent of the Court, to any other party to this matter assuming physical and legal custody, at its own cost and expense, of any such rubble that party wishes to have preserved.

8. Importantly, this motion in no way involves the disposal of the rubble that the County, after consultation with NIST and the independently contracted forensic engineer, deemed to be of more significant evidentiary value and which is currently housed in the offsite warehouse. Experts and parties in interest will be given access to the warehouse to view these items at a later date and time pursuant to a future access protocol.

9. Accordingly, the Receiver respectfully requests the Court enter an Order granting this Motion, thereby authorizing the County to dispose of the rubble deemed to be of less significant

evidentiary value, following notice to the experts and parties in interest and opportunity for them to access the lot and make any objections before the Court.

Respectfully submitted,

/s/ Michael I. Goldberg  
Michael I. Goldberg, Esq.  
Florida Bar Number: 886602  
AKERMAN LLP  
201 E. Las Olas Boulevard, Suite 1800  
Fort Lauderdale, Florida 33301-2999  
Tel: (954) 463-2700  
Fax: (954) 463-2224  
Email: michael.goldberg@akerman.com  
Secondary Email: charlene.cerda@akerman.com  
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