

**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

**MOTION FOR ENTRY OF CONSENT ORDER FOR
RETURN OF UNUSED WIND INSURANCE PREMIUM**

Michael I. Goldberg (the “Receiver”), pursuant to Rule 4 of the Complex Business Litigation Rules, seeks entry of a Consent Order 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 (the “Association”). Following the hearing, the Court entered an order formally appointing Mr. Goldberg as Receiver.

2. The Association maintained a commercial property policy providing coverage for a Named Windstorm Only for property located at 8777 Collins Avenue, Surfside, Florida, issued by the following insurers (“Insurers”) under the following policy numbers (“Policy”):

3DA3CM0000736-00	Princeton Excess & Surplus Lines Insurance Company
TR00202201602480	General Security Indemnity Company of Arizona
B1180D201015939	HDI Global Specialty SE
SSP17141	Starstone Specialty Insurance Company
3DA3CM0000737-00	Princeton Excess & Surplus Lines Insurance Company
TR00202201602481	General Security Indemnity Company of Arizona
B1180D201015940	HDI Global Specialty SE
SSP17142	Starstone Specialty Insurance Company

3. The Policy, which only provides coverage for a Named Windstorm, was never triggered prior to the collapse of Champlain Towers South and cannot be triggered given the demolition of the remaining structure.

4. The Association paid, at least in part, a premium in the amount of \$175,000. The Insurers wish to refund the entirety of the premium, even though the entirety was not paid, to the Receiver for the benefit of the victims of the Collapse.

5. Upon refund of the premium, the Policy shall be deemed null and void as if the same had never been issued.

6. The relief sought is limited to the Policy identified herein and shall not affect the Insurers' or the Association's rights or obligations under any other policy of insurance whether issued to the Association or others.

7. This Motion seeks to have this Court enter a Consent Order, directing the Program Administrator, Arrowhead Insurance Risk Managers, LLC, to issue payment in the amount of \$175,000.00 to the Receiver, who shall deposit the funds in his attorney trust account.

8. Upon payment to the Receiver, the Insurers will be discharged of and from all obligations under the Policy.

Dated: November 4, 2021

Respectfully submitted,

/s/ Michael I. Goldberg

Michael I. Goldberg, Esq.

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Court-Appointed Receiver

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 4, 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