

**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**

Plaintiff(s)

vs.

N/A

Defendant(s)

\_\_\_\_\_ /

**ORDER REGARDING THE PARTIES' JOINT TESTING PROTOCOL (COLLAPSE  
SITE)**

**THIS CAUSE** came before the Court upon the Court's December 30, 2021, *sua sponte* Order. It is **ORDERED AND ADJUDGED** as follows:

1. The testing performed on site will be coordinated and overseen by an Independent Consultant chosen by the Receiver with the consent of the parties. A number of subconsultants and subcontractors may be required to carry out the Joint Testing Protocol (Collapse Site), all of whom shall be chosen by the Independent Consultant, with the opportunity for objection by all parties.
2. The parties and their respective experts, consultants, and subcontractors shall mobilize and begin invasive testing at the collapse site as soon as the Independent Consultant determines it to be feasible and according to the Joint Testing Protocol (Collapse Site) to be submitted to the Court.
3. The Receiver shall ensure evidence is preserved such that additional parties will be able to access the evidence in the event that additional parties are joined as parties in this litigation.

4. Testing requested and required by the prospective buyer of the property shall be coordinated with the joint invasive testing protocol to the extent possible. However, the buyer shall be authorized to proceed with its testing using the services of the Independent Consultant and shall be entitled to have its testing conducted at the outset of the testing to facilitate the escrow process but only to the extent such testing does not interfere with or negatively impact the work to be performed under the Joint Testing Protocol (Collapse Site). The buyer shall notify the parties of any intended testing on site and the parties shall have the opportunity to object and bring the issue to the Court's attention should any party feel the testing will impair their rights in this litigation.
5. The parties shall keep the Court informed as to the scheduling and progress of the work.
6. The Independent Consultant shall use its best efforts to provide the parties its logistical plan and schedule to implement the testing by Wednesday, January 12, 2022.
7. The parties shall submit the proposed Joint Testing Protocol (Collapse Site) to the Court no later than two business days after the receipt of the logistical plan and schedule from the Independent Consultant.

**DONE** and **ORDERED** in Chambers at Miami-Dade County, Florida on this 3rd day of January, 2022.



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2021-015089-CA-01 01-03-2022 5:17 PM

Hon. Michael Hanzman

**CIRCUIT COURT JUDGE**

Electronically Signed

No Further Judicial Action Required on THIS MOTION

CLERK TO RECLOSE CASE IF POST JUDGMENT

**Electronically Served:**

Aaron Podhurst, apodhurst@podhurst.com  
Aaron Podhurst, dricker@podhurst.com  
Adam A Schwartzbaum, adams@moskowitz-law.com  
Adam A Schwartzbaum, service@moskowitz-law.com  
Adam A Schwartzbaum, dione@moskowitz-law.com  
Adam Moskowitz, adam@moskowitz-law.com  
Adam Moskowitz, dione@moskowitz-law.com  
Adam Moskowitz, service@moskowitz-law.com  
Alfred Armas, alfred@armaslaw.com  
Alison E Patino, apatino@patinolaw.com  
Amanda Anderson, AAnderson@insurance-counsel.com  
Andrew B. Yaffa, aby@grossmanroth.com  
Andrew B. Yaffa, omb@grossmanroth.com  
Andrew M Feldman, feldmana@kleinpark.com  
Andrew M Feldman, montanem@kleinpark.com  
Andrew M Feldman, piersonj@kleinpark.com  
Andrew P. Gold, Esq., andrew.gold@akerman.com  
Andrew P. Gold, Esq., jill.parnes@akerman.com  
Andrew Paul Gold, andrew.gold@akerman.com  
Andrew Paul Gold, jill.parnes@akerman.com  
Anthony J Carriuolo, acarriuolo@bergersingerman.com  
Anthony J Carriuolo, mnewland@bergersingerman.com  
Anthony J Carriuolo, drt@bergersingerman.com  
Anthony Perez, aperez@hsmpa.com  
Aron Raskas, araskas@gunster.com  
Aron Raskas, avalido@gunster.com  
Aron Raskas, eservice@gunster.com  
Benjamin Fernandez, IV, bfernandez@silvasilva.com  
Benjamin Fernandez, IV, tgomez@silvasilva.com  
Bernadette Vazquez, bvazquez@klugerkaplan.com

Bernadette Vazquez, clong@klugerkaplan.com  
Bradford R. Sohn, brad@sohn.com  
Bradford R. Sohn, paralegal@bradsohnlaw.com  
Bradford R. Sohn, service.bradsohnlaw@gmail.com  
Bradley J Edwards, staff.efile@epllc.com  
Bradley J Edwards, brad@epllc.com  
Bradley J Edwards, maria@epllc.com  
Brenda Radmacher, brenda.radmacher@akerman.com  
Brian S Dervishi, bdervishi@wdpalaw.com  
Brian S Dervishi, service@wdpalaw.com  
Bruce Alan Katzen, bkatzen@klugerkaplan.com  
Bruce Alan Katzen, cfalla@klugerkaplan.com  
Bruce Alan Katzen, cfernandez@klugerkaplan.com  
Carlos M. Macias, macias@leesfield.com  
Carlos M. Macias, becerra@leesfield.com  
Carlos M. Macias, abreu@leesfield.com  
Carolyn M. Luna, cluna@patinolaw.com  
Christine L. Welstead, christine.welstead@bowmanandbrooke.com  
Christine L. Welstead, ashleigh.carroll@bowmanandbrooke.com  
Christine L. Welstead, lisa.morales@bowmanandbrooke.com  
Christopher L Barnett, barnettch@gtlaw.com  
Christopher L Barnett, nicauda@gtlaw.com  
Christopher S Carver, christopher.carver@akerman.com  
Christopher S Carver, cary.gonzalez@akerman.com  
Cole Scott &Kissane PA, Ryan.Charlson@csklegal.com  
Cole Scott &Kissane PA, Ryan.Soofoo@csklegal.com  
Cole Scott &Kissane PA, Construction.FTLW@csklegal.com  
Cosme Caballero, ccaballero@deutschblumberg.com  
Cosme Caballero, kdominguez@deutschblumberg.com  
Cosme Caballero, rvargas@deutschblumberg.com  
Cosme Caballero, Esq., ccaballero@deutschblumberg.com  
Cosme Caballero, Esq., bblumberg@deutschblumberg.com  
Curtis Miner, curt@colson.com  
Curtis Miner, claudiav@colson.com  
Curtis Miner, eservice@colson.com  
David B. Weinstein, weinsteind@gtlaw.com  
David B. Weinstein, thomasm@gtlaw.com  
David L Rosinsky Esq., LUKSFLL-Pleadings@LS-LAW.COM

David L Rosinsky Esq., Drosinsky@insurancedefense.net  
David L Rosinsky Esq., drosenbaum@insurancedefense.net  
David M Wells, dwells@gunster.com  
David M Wells, dculmer@gunster.com  
David M. Murray, dmmurray@miami-airport.com  
David M. Murray, dmmurray@miami-airport.com  
David M. Murray, rmartin@miami-airport.com  
David M. Wells, dwells@gunster.com  
David M. Wells, dculmer@gunster.com  
David M. Wells, eservice@gunster.com  
David Stanoch, david@honiklaw.com  
Dorian N. Daggs, ddaggs@hsmpa.com  
Douglas J. Kress, dkress@schwedpa.com  
Douglas J. Kress, lrandell@schwedpa.com  
Douglas J. Kress, amarcus@schwedpa.com  
Dustin C. Blumenthal, dblumenthal@goldbergsegalla.com  
Dustin C. Blumenthal, ppowers@goldbergsegalla.com  
Edward Marod, emarod@gunster.com  
Edward Marod, dpeterson@gunster.com  
Edward R. Blumberg, erb@deutschblumberg.com  
Edward R. Blumberg, rmitchell@deutschblumberg.com  
Edward R. Blumberg, kdominguez@deutschblumberg.com  
Elliot H. Scherker, scherkere@gtlaw.com  
Elliot H. Scherker, miamiappellateservice@gtlaw.com  
Eric P. Hockman, ehockman@wsh-law.com  
Eric P. Hockman, lmartinez@wsh-law.com  
Eric Page Hockman, ehockman@wsh-law.com  
Eric Page Hockman, lmartinez@wsh-law.com  
Eric S Kay, ekay@kttlaw.com  
Eric S Kay, ga@kttlaw.com  
Eric S Kay, agarcia@kttlaw.com  
Felipe Gonzalez, fgonzalez@switkeslaw.com  
Felipe Gonzalez, paralegal@switkeslaw.com  
Felipe Gonzalez, paralegal@switkeslaw.com  
Frank Florio, FFlorio@gunster.com  
George R Truitt Jr., george.truitt@csklegal.com  
George R Truitt Jr., construction.miami@csklegal.com  
Gonzalo Barr, gbarr@dldlawyers.com

Gonzalo Barr, viviane@dldlawyers.com  
Gonzalo Dorta, grd@dortalaw.com  
Gonzalo R Dorta, grd@dortalaw.com  
Gonzalo R Dorta, jpedraza@dortalaw.com  
Gonzalo R Dorta, jgonzalez@dortalaw.com  
Graham LippSmith, g@lippsmith.com  
Graham LippSmith, mb@lippsmith.com  
Graham LippSmith, cca@lippsmith.com  
H. Clay Roberts, gloria@robertspa.com  
H. Clay Roberts, roberts@robertspa.com  
H. Clay Roberts, jennifer@robertspa.com  
Hali E Marsocci, Hali@RomanoLawGroup.com  
Hali E Marsocci, Becky@RomanoLawGroup.com  
Hali E Marsocci, Service@RomanoLawGroup.com  
Harley S. Tropin Esq., hst@kttlaw.com  
Harley S. Tropin Esq., sf@kttlaw.com  
Harley Tropin, hst@kttlaw.com  
Henry Lawrence Perry, lperry@perry-young.com  
Henry Lawrence Perry, kroberson@perry-young.com  
Henry Lawrence Perry, frichard@perry-young.com  
Henry N. Wixon, henry.wixon@nist.gov  
Houston S. Park III, parkh@kleinpark.com  
Houston S. Park III, harriss@kleinpark.com  
Howard M Bushman, howard@moskowitz-law.com  
Howard M Bushman, dione@moskowitz-law.com  
JOHN H RUIZ, jruiz@msprecoverylawfirm.com  
JOHN H RUIZ, serve@msprecoverylawfirm.com  
JOHN H RUIZ, jruiz@msprecovery.com  
Janel C. Diamond, jdiamond@gunster.com  
Javier A. Lopez Esq., jal@kttlaw.com  
Javier A. Lopez Esq., ya@kttlaw.com  
Javier A. Lopez Esq., fsr@kttlaw.com  
Javier Zapata, jzapata@miamidade.gov  
Jeffrey Michael Cohen, jmcohen@cfjblaw.com  
Jeffrey Michael Cohen, schacon@carltonfields.com  
Jeffrey Michael Cohen, miaecf@cfdom.net  
Jillian M Askren, askrenj@gtlaw.com  
Jillian M Askren, thomasm@gtlaw.com

Joel L McNabney, joel.mcnabney@clydeco.us  
Joel L McNabney, Audrie.Finney@clydeco.us  
Joel L McNabney, miainsfilings@clydeco.us  
John B. Morgan, jmorgan@forthepeople.com  
John B. Morgan, kmitnik@forthepeople.com  
John B. Morgan, andrew@forthepeople.com  
John Davis, jdavis@slackdavis.com  
John H. Ruiz, jruiz@msprecoverylawfirm.com  
John H. Ruiz, serve@msprecoverylawfirm.com  
John H. Ruiz, afernandez@msprecoverylawfirm.com  
John Romano, John@RomanoLawGroup.com  
John Scarola, \_scarolateam@searcylaw.com  
John Scarola, mmccann@searcylaw.com  
John Scarola, \_scarolateam@searcylaw.com  
Jonathan E Kanov, jekanov@mdwcg.com  
Jonathan E Kanov, kafriday@mdwcg.com  
Jordi Guso, jguso@bergersingerman.com  
Jordi Guso, drt@bergersingerman.com  
Jordi Guso, fsellers@bergersingerman.com  
Jorge A Calil Esq., jorge@jcalillaw.com  
Jorge A Calil Esq., jeannie.calillaw@gmail.com  
Jorge L. Piedra, jpiedra@kttlaw.com  
Jorge L. Piedra, ga@kttlaw.com  
Jorge Silva, jsilva@silvasilva.com  
Jorge Silva, csilva@silvasilva.com  
Jorge Silva, hsoto@silvasilva.com  
Joseph H. Serota, jserota@wsh-law.com  
Joseph H. Serota, lmartinez@wsh-law.com  
Joseph M. Kaye, joseph@moskowitz-law.com  
Joseph M. Kaye, dione@moskowitz-law.com  
Josh M Rubens, jrubens@klugerkaplan.com  
Josh M Rubens, cfalla@klugerkaplan.com  
Josh M Rubens, cfernandez@klugerkaplan.com  
Joshua Talcovitz, TalcovitzJ@kleinpark.com  
Judd G. Rosen, pleadings@goldbergandrosen.com  
Judd G. Rosen, jgrsecy@goldbergandrosen.com  
Julia Holden-Davis, JHoldenDavis@gunster.com  
Julia Holden-Davis, dholland@gunster.com

Julian S. Geraci Esq., jgeraci@pbcgov.org  
Julian S. Geraci Esq., aairey@pbcgov.org  
Karen B Parker, kparker@kbparkerlaw.com  
Karen B Parker, fmartinez@kbparkerlaw.com  
Karen B Parker, ebacker@kbparkerlaw.com  
Kenneth R Drake, kendrake@dldlawyers.com  
Kenneth R Drake, viviane@dldlawyers.com  
Kerry L. Burns, kburns@bergersingerman.com  
Kerry L. Burns, efile@bergersingerman.com  
Laritza Orozco, Orozcol@kleinpark.com  
Laura Adams, lauraadams@miamisao.com  
Lauren E. Morse, laurenm@miamidade.gov  
Lauren E. Morse, olgal@miamidade.gov  
Lauren E. Morse, hern@miamidade.gov  
Lauren Morse, lauren.morse@miamidade.gov  
Luis Eduardo Suarez, lsuarez@hsmpa.com  
Luis Eduardo Suarez, filings@hsmpa.com  
Manual Arteaga-Gomez, aag@grossmanroth.com  
Marc J. Gottlieb, marc.gottlieb@akerman.com  
Marc J. Gottlieb, joyce.gutierrez@akerman.com  
Marc J. Gottlieb, Esq., marc.gottlieb@akerman.com  
Marc J. Gottlieb, Esq., joyce.gutierrez@akerman.com  
Mark A Boyle, Eservice@Insurance-Counsel.com  
Mark A Boyle, MBoyle@Insurance-Counsel.com  
Mark A Boyle, InsuranceCounsel2050@gmail.com  
Mark J. Heise, mheise@hsmpa.com  
Mark J. Sullivan, sullivanm@kleinpark.com  
Mark J. Sullivan, piersonj@kleinpark.com  
Mark J. Sullivan, montanem@kleinpark.com  
Mark R. Antonelli, mantonelli@gabemullen.com  
Mark R. Antonelli, cgreer@gabemullen.com  
Mark R. Antonelli, lbeggs@gabemullen.com  
Matthew Wildner, mjwildner@mdwgc.com  
Matthew Wildner, kafriday@mdwgc.com  
Meghan C Moore Moore, meghan.moore@flastergreenberg.com  
Meghan C Moore Moore, betty.plasencia@flastergreenberg.com  
Michael Caballero, mcaballero@hsmpa.com  
Michael F. Suarez, MFS-KD@kubickidraper.com



Michael F. Suarez, mfs@kubickidraper.com  
Michael I. Goldberg, michael.goldberg@akerman.com  
Michael I. Goldberg, charlene.cerda@akerman.com  
Michael I. Goldberg, kimberly.smiley@akerman.com  
Michael J Thomas, thomasmic@gtlaw.com  
Michael J Thomas, cordovam@gtlaw.com  
Michael J Thomas, flservice@gtlaw.com  
Mitchel Chusid, mchusid@ritterchusid.com  
Mitchel Chusid, karenz@ritterchusid.com  
Mitchel Chusid, ifeliciano@ritterchusid.com  
Mustafa Hasan Dandashly, pleadings@goldbergandrosen.com  
Mustafa Hasan Dandashly, mdandashly@goldbergandrosen.com  
Mustafa Hasan Dandashly, evelyn@goldbergandrosen.com  
Nicole Juarez, njuarez@hsmpa.com  
Patricia Melville, pmelville@hsmpa.com  
Paul A. Avron, pavron@bergersingerman.com  
Paul J. Schwiep, pschwiep@coffeyburlington.com  
Paul J. Schwiep, yvb@coffeyburlington.com  
Paul J. Schwiep, service@coffeyburlington.com  
Paul Jon Layne, playne@silvasilva.com  
Paul Jon Layne, mromera@silvasilva.com  
Paul Jon Layne, vramos@silvasilva.com  
Paul S Singerman, singerman@bergersingerman.com  
Paul S Singerman, mdiaz@bergersingerman.com  
Paul S Singerman, efile@bergersingerman.com  
Paul Steven Labiner, Pleadings@PIALawCenter.com  
Rachel W. Furst, rwf@grossmanroth.com  
Rachel Wagner Furst, rwf@grossmanroth.com  
Ralph George Patino, service@patinolaw.com  
Ralph George Patino, rpatino@patinolaw.com  
Ralph George Patino, cluna@patinolaw.com  
Rami Shmuely, rshmuely@cmslawgroup.com  
Ricardo Manoel Martinez-Cid, rmcid@podhurst.com  
Ricardo Manoel Martinez-Cid, RMCTeam@podhurst.com  
Ricardo Manoel Martinez-Cid, lbarrington@podhurst.com  
Robert J. Mongeluzzi, rmongeluzzi@smbb.com  
Robert J. Mongeluzzi, jgoodman@smbb.com  
Robert J. Mongeluzzi, sdordick@smbb.com

Robert L Switkes, Rswitkes@switkeslaw.com  
Robert L Switkes, paralegal@switkeslaw.com  
Robert L Switkes, bzappala@switkeslaw.com  
Robert M Klein, kleinr@kleinpark.com  
Robert M Klein, piersonj@kleinpark.com  
Robert M Klein, carrillom@kleinpark.com  
Rosalyn Lax, rlax@hsmmpa.com  
Ruben Honik, ruben@honiklaw.com  
Ryan A Waton, rwaton@zdlaw.com  
Ryan J. Yaffa, rjy@grossmanroth.com  
Ryan M. Charlson, ryan.charlson@csklegal.com  
Ryan M. Charlson, nicole.kaufman@csklegal.com  
Ryan Thomas Hopper, hopperr@gtlaw.com  
Ryan Thomas Hopper, ryan.t.hopper@gmail.com  
Ryan Thomas Hopper, thomasm@gtlaw.com  
STEVEN JEFFREY BRODIE, sbrodie@carltonfields.com  
STEVEN JEFFREY BRODIE, ldelpino@carltonfields.com  
Scott Andrew Hiaasen, shiaasen@coffeyburlington.com  
Scott Andrew Hiaasen, lperez@coffeyburlington.com  
Scott Andrew Hiaasen, service@coffeyburlington.com  
Sergio L Mendez, sergio@mendezandmendezlaw.com  
Sergio L Mendez, service@mendezandmendezlaw.com  
Sergio L Mendez, lorena@mendezandmendezlaw.com  
Seth M Lehrman, staff.efile@epllc.com  
Seth M Lehrman, seth@epllc.com  
Seth M Lehrman, iris@epllc.com  
Stuart Z Grossman, szg@grossmanroth.com  
Stuart Z Grossman, lka@grossmanroth.com  
Tal J Lifshitz, tjl@kttlaw.com  
Tal J Lifshitz, ya@kttlaw.com  
Tal J Lifshitz, fsr@kttlaw.com  
Tal J. Lifshitz, tjl@kttlaw.com  
Tal J. Lifshitz, ya@kttlaw.com  
Thomas A. Robes, Trobes@robeslawgroup.com  
Thomas A. Robes, jbuchko@robeslawgroup.com  
Thomas A. Robes, dmarie@robeslawgroup.com  
Todd Romano, Todd@RomanolawGroup.com  
Valerie Shea, vshea@goldbergsegalla.com

Wanda Monteverde, monteverdew@kleinpark.com  
William F. Merlin Jr, cmerlin@merlinlawgroup.com  
William F. Merlin Jr, ssmith@merlinlawgroup.com  
William F. Merlin Jr, trodriguez@merlinlawgroup.com  
William P. Mulligan, wpm@grossmanroth.com  
William P. Mulligan, lka@grossmanroth.com  
Yechezkel Rodal, chezky@forthepeople.com  
Yechezkel Rodal, rmongeluzzi@smbb.com  
Yechezkel Rodal, jgoodman@smbb.com  
Yechezkel Rodal, chezky@forthepeople.com  
Yitzhak Levin, ylevin@levinlitigation.com  
Yitzhak Levin, service@levinlitigation.com  
Yummy Marrero, Ymarrero@gaebemullen.com

**Physically Served:**