

**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 JOINT PROTOCOL FOR TESTING AND MATERIAL  
SAMPLING – COLLAPSE SITE**

**THIS CAUSE** came before the Court upon a series of conferences and hearings, including the December 22, 2021 evidentiary hearing, the Court’s December 30, 2021 *sua sponte* Order, the Court’s January 3, 2022 Order, and hearings on January 14, 2022 and January 21, 2022. The Court having considered the issues and positions of the parties, it is **ORDERED AND ADJUDGED** as follows:

1. The parties and their respective experts, consultants, and subcontractors shall promptly mobilize and begin invasive testing at the collapse site at the beginning of February. The invasive testing shall be performed pursuant to the agreed upon Champlain Towers South Collapse Investigation: Joint Protocol for Testing and Material Sampling – Collapse Site (the “Joint Testing Protocol”), which was submitted to the Court on January 21, 2022.
2. Unless otherwise provided in the Joint Testing Protocol, the testing performed on site will be coordinated and overseen by the independent Consultant, Geosyntec Consultants, Inc. (“Consultant”), which was chosen by the Receiver with the

consent of the Parties. The Consultant, subject to review by all parties, will employ testing agencies and contractors required to carry out the goals of the Joint Testing Protocol.

3. The Joint Testing Protocol shall allow all parties adequate opportunity to collect and test evidence so as to allow the parties to properly investigate the cause of this collapse as well as the claims advanced by Plaintiffs and any potential defenses.
4. The Parties shall keep the Court informed as to the scheduling and progress of the testing being performed pursuant to the Joint Testing Protocol.
5. Except for the costs attributable to additional or specialized testing, which costs are the sole responsibility of the Participant seeking such additional or specialized testing, each Participant's or other third-party's allocation of the costs incurred through performance of this Protocol shall be determined pursuant to an order from the Court to be issued subsequently.

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida on this 21st day of January, 2022.



2021-015089-CA-01 01-21-2022 1:47 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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