

**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.

**DEFENDANT CHAMPLAIN TOWERS SOUTH CONDOMINIUM ASSOCIATION,
INC.'S MOTION TO EXTEND DEADLINE FOR AMENDING PLEADINGS**

Pursuant to Rule 1.090(b), Fla. R. Civ. P., Defendant Champlain Towers South Condominium Association, Inc., through its Court-appointed Receiver Michael I. Goldberg (the “Association”), moves for an enlargement of time of the deadline to amend pleadings to the later of ten (10) days after the Court’s ruling on the pending motions to dismiss the Association’s crossclaims or Plaintiffs’ motion for leave to amend its operative pleading.

In support of this motion, the Association states as follows:

1. On January 20, 2022, the Court set March 7, 2022, as the deadline for amending pleadings and adding parties.
2. In a motion filed on the deadline to amend, Plaintiffs moved to amend their operative pleading, the Consolidated Second Amended Class Action Complaint, and for leave to file a Consolidated Third Amended Class Action Complaint.
3. The Association’s Crossclaims (filed Dec. 30, 2021) are subject to motions to dismiss filed by Defendants 8701 Collins Development, LLC; Defendants Terra Group, LLC, and Terra World Investments, LLC (filing jointly); and Defendant John Moriarty & Associates of Florida, Inc. (collectively, the “Motions to Dismiss Crossclaims”). The Motions to Dismiss Crossclaims are fully briefed and awaiting adjudication by the Court.

4. Plaintiffs' Consolidated Third Amended Class Action Complaint, if leave to file is granted, will re-open the pleadings, and the Association will have ten (10) days to file its response (*i.e.*, here, responsive pleading). *See* Fla. R. Civ. P. 1.190(a). In addition, the Court's ruling(s) on the Motions to Dismiss Crossclaims will inform the Association's decision on the scope of any necessary amendments to its pleading.

5. Accordingly, the Association seeks a ten-day enlargement of time of the current deadline to amend pleadings, running from the latter of the Court's ruling on Plaintiffs' motion for leave to amend or the Court's ruling on the Motions to Dismiss Crossclaims.

6. The pleadings are not yet closed, and the Association seeks to amend its pleading for the purpose of raising additional claims and adding parties who may bear liability, which has been revealed by discovery, and other necessary purposes.

7. The Association's requested extension and amendment of its pleading will not result in abuse of the privilege to amend, prejudice to the opposing parties, or futility.

WHEREFORE, the Association respectfully requests the Court enlarge the deadline for the Association to amend its pleading to the later of ten (10) days after (i) the Court's ruling on Plaintiffs' motion for leave to amend or (ii) the Motions to Dismiss Crossclaims, and grant the Association such other and further relief as the Court deems just and proper.

Dated: March 7, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 7, 2022, a true and correct copy of *Defendant Champlain Towers South Condominium Association, Inc.'s Motion to Extend Deadline for Amending Pleadings* the foregoing was filed electronically through the Florida Court's E-Filing Portal, which will provide electronic service of the filing to all counsel of record.

By: /s/ Carmen Ortega-Rivero
Carmen Ortega-Rivero, Esq.