

**IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2021-015089-CA-01

SECTION: CA 43

JUDGE: Michael Hanzman

In re:

Champlain Towers South Collapse Litigation.

NOTICE OF FILING OBJECTIONS TO ALLOCATION SETTLEMENT AGREEMENT

Michael I. Goldberg, Receiver for the Champlain Towers South Condominium Association, Inc., hereby files the following Objections to the Allocation Settlement Agreement received by email on March 22, 2022:

1. Hernan Yellati
2. Julieta Apfelbaum
3. Mayra Cruz
4. The Langesfeld Family on behalf of Nicole Langesfeld

Dated: March 21, 2022

Respectfully submitted,

/s/ Michael I. Goldberg

Michael I. Goldberg, Esq.

Florida Bar Number: 886602

Email: CTSReceivership@akerman.com

Court-Appointed Receiver

AKERMAN LLP

201 E. Las Olas Boulevard, Suite 1800

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Tel: (954) 463-2700

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 22, 2022, a copy of the foregoing was electronically filed with the Clerk of Court by using the Florida Courts E-Filing Portal and furnished a copy of same to all counsel of record through the Florida Court's E-Filing Portal.

By: s/ Michael I. Goldberg
Michael I. Goldberg

March 18, 2022

Clerk of the Circuit Court
Miami-Dade County Courthouse
73 West Flagler Street, Room 133 Miami, Florida 33130

In re: Champlain Towers South Collapse Litigation
In the Circuit Court of the 11th Judicial Circuit In and for Miami-Dade County, Florida
Case No.: 2021-015089-CA-01

Champlain Towers South (CTS) Unit Owner Objection to the Preliminary Allocation Settlement Agreement

Dear Clerk of the Circuit Court,

I respectfully ask that the following letter be filed with the Court no later than March 23, 2022 as a formal objection to the "Preliminary Approved – Allocation Settlement Agreement" of \$83 million prior to the Court's final decision. For the avoidance of doubt, I am not opting out of any settlement. I look forward to addressing the Court on 30 March regarding this matter.

As a surviving owner that lived in CTS with my wife and three little kids for eight years, I experienced the horrors of the night of 24 June 2021, leaving the building just seconds before the collapse with my family. We lost friends and neighbors and are fully aware of the pain, suffering and irreplaceable losses the collapse has caused to all of us.

We lost our apartment and everything in it. True, it is material and property loss, not comparable to the loss of lives. Nevertheless, most of our equity, which was the result of years of hard work, was there. In terms of economic security and ability to provide for our three kids in the future, the impact to our family is absolutely devastating.

In 2013, moving from New York, we chose Surfside to raise our kids due to outstanding public education quality and an exceptional community. We bought a combined apartment 208/209 at CTS with a mortgage and homestead protection. Now, we face debt and a small proportion of equity in a context of rising inflation and inaccessible real estate market.

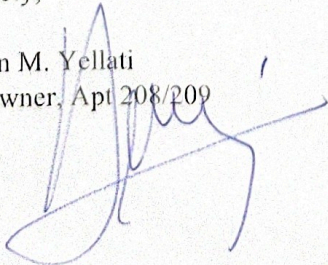
I consider myself and my family victims of the collapse. We are going through unimaginable hardships, including emotional and economic hurdles, trying to rebuild our lives and move forward.

The proposed settlement is excessively onerous on surviving owners, in my view. Without technical knowledge of the law, it is my opinion based on common sense, that the FL Statue 718.119(2) has been interpreted very strongly in detriment of surviving owners.

Leaving aside greed, any desire to profit from this tragedy or even recover the full value of lost property, I respectfully ask the Court to reconsider the proposed settlement to a more equitable allocation distribution.

Sincerely,

Hernan M. Yellati
Unit owner, Apt 208/209



Dear Honorable Judge Hanzman, I am a survivor from Champlain Tower South ("CTS") and I would like to request that the funds should be disbursed more hastily because of our age and needs. At this time I am eighty years old and there is no telling how much longer I will be able to wait to recuperate what I lost. If anyone has the power to expedite this process it is you, help the survivors build our lives again by disbursing the funds provided.

I came to Miami about 20 years ago leaving all the life, business, and family I had in Argentina to help support my daughter. When me and my husband came to Miami we went and lived in the Champlain Tower South. At the time it was wonderful and amazing for us to be able to live there. I made so many friends, they all became like a family to me. My favorite part of my week was making for my family on Friday morning and making extra for my neighbors since many of them didn't have the means to make food for themselves. Living in CTS was like being with my family because we all spent so much time together and losing that was like losing part of my life.

The day before the event of June 24, 2021 I did what I usually did. Went with my neighbors to the pool of Champlain Tower South. Little did I know that would be the last time I have ever seen them again. Afterwards I went back to my apartment a couple of hours before the disaster occurred. Many of the people in the pool area that day perished and I felt as if I lost multiple family members.

During the evening of June 24, 2021 I went to sleep early in preparation for my grandson's wedding rehearsal. Little did I know that I would lose my home that faithful evening. From my clothing to my furniture I lost everything, but what was most difficult was losing my dear friends and photographs of my late husband and eldest daughter. My house was a haven for my grandchildren to learn and grow. A place where I can feel free and invite others in. In essence, my home was a place where I could feel self-sufficient and independent. Without my home I feel lost, dependent on my family to support me, and like a part of me is missing.

As I am trying to reconstruct all that is lost in my life my daughter is constantly helping me with filing paper work to the court and staying calm while the issue is resolved. This has made me feel like a burden onto her and others. She has lost hours of work and sleep helping me and I need to be independent as I used to. The only way I can accomplish this is if I can receive my payment for the lost land that has been decided. If you can help me recuperate my life it would be greatly appreciated.

Julietta Apfelbaum

03/22/2022

March 19, 2022

Re: Champlain Towers South Collapse Litigation

In the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida
Case No.: 2121-015089-CA-01

My name is Mayra Cruz and I lived in apartment PH-5 (1205) for the past 21 years. On the dreadful morning of June 24, 2021, I was fortunate enough to be on my first post "covid" business trip.

What occurred is horrific and my heart bleeds for the pain and suffering of the families who lost a loved one. I lost a sister to a tragic event as well and know the type of suffering that one can feel. However, this does not mean that we are not victims of this tragedy.

My doorbell (ring) captured on video a family of four potentially walking down the wrong stairs and in seconds making the decision to go down another stairwell which saved their lives. In that video recording, I can hear the building collapsing and see the smoke beginning to fill the hallway right before everything goes dark. That image, along with my neighbors faces who passed, are ingrained in my memory. There is not a day that passes that I don't think about them. I constantly play the events in my mind, and wonder how I may have reacted if I were present? I feel guilty for living and for not being there! I consider myself a victim as well.

I will be accepting the settlement that was reached through the "mediation". However, I would like to highlight a significant point that I believe could have and can be handled differently. Not perfect, but fair.

- The \$95 million appraised value – It is flawed. My apartment was 1579 sq ft and had a 620 sq ft balcony and a superior view. The apartment right next to mine, 1204 (PH-4) had 1429 sq ft and a balcony of 200 sq ft. Both apartments received the same valuation. When I called Mr. Goldberg's office, I was told this would be "looked" at. Additionally, we "the homeowners" were told this appraisal would not be used. How is this fair and equitable? This is the case for several apartments. Once again, we are not looking for perfect but fair and reasonable.

As mentioned above, I lived there for 21 years and myself nor anyone else who lived there thought for one moment that the building was a ticking time bomb. I am currently renting a furnished apartment and paying 3x my mortgage amount.

I am aware this is a horrible case, and no one will be happy with the outcome. The wrongful death should receive as much money as possible. However, I am just imploring that we are also taken into consideration and give us enough to move on and get another home for ourselves. I am not expecting to receive even close to the worth of my apartment without its' contents. A landfall is not what myself or any of my neighbors are expecting nor looking for. We just want an opportunity to re-build.

I am asking that the court to consider leaving us at the full appraised value of \$95 million and does not take the \$15 million assessment or our personal insurance. Currently, I will be receiving .30 cents on the dollar. It will be very difficult to rebuild. This was my primary home, and I do not have any investment properties. Please take this into account as you reach your final decision.

Thank you for taking the time to read this letter.

Respectfully,

Mayra Cruz
Apt. PH-5 (1205)

Dear Honorable Judge Hanzman:

On behalf of Nicole Langesfeld, who horrifically passed away on the night of June 24, 2021, we would like to respectfully address the court by stating that we are completely opposed to the settlement agreement for the following reasons:

- Loss of life is extremely more valuable and important than the loss of property, therefore, life should be paid first without exception. After the wrongful death victims are paid the value the law declares for each individual life, is when the unit owners should get paid- if the law allows.
- This agreement is paying 83 million, yet it does not have any provisions for the unit owners receiving the money regarding the payment for past, current, and future maintenance and expenses that have been paid, and will continue to be paid to maintain the land, etc- therefore, making the innocent Wrongful Death Victims pay expenses on behalf of the unit owners who will walk away with the money. The court has mentioned many times that there are millions of dollars in expenses with this case. The unit owners must pay for these expenses. They could not walk away with 83 million clean. Wrongful Death Victims should not be liable for payments on behalf of the unit owners' "units", according to this settlement.
- We do not know how much will be in the entire "pot" at the end of the case. We have absolutely no idea if there will be more than what the unit owners will get- according to the settlement. We believe it is completely unfair to give the only guaranteed money to the unit owners, who may be liable. The agreement does not require unit owners to pay closing costs, expenses, etc. when they are getting the only guaranteed money in the "pot".
- If the land never sells, then their units are technically worth nothing. There is no guaranteed sale of this land. If any settlement is made with the unit owners, it must come from the sale of the land, which is where their worn-down properties once stood.
- Some unit owners were going door by door telling other owners to not pay for special assessments, and because of unit owners like this, 98 innocent loved ones were killed in their own homes and they should not be paid for this.
- They deserve nothing, the law is clear. The law states they may be liable and there is no way around the law.

We would like to thank you in advance for taking your time to read and evaluate our thoughts.

With Kind and Respectful Regards,

The Langesfeld Family