

**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

**NOTICE OF FILING RESPONSE
TO ALLOCATION SETTLEMENT AGREEMENT**

Marcelo Cattarossi, as personal representative of the Estates of Gino Cattarossi, Graciela Ponce de Leon de Cattarossi, Graciela Cattarossi, and Andrea Cattarossi, hereby gives Notice of Filing the attached letter dated March 23, 2022 raising matters for the Court's consideration of the proposed Allocation Settlement Agreement.

Dated: March 23, 2022

Respectfully submitted,

EDWARDS POTTINGER LLC
425 North Andrews Avenue, Suite 2
Fort Lauderdale, FL 33301
Telephone: 954-524-2820
Facsimile: 954-524-2822

By: /s/ Seth M. Lehrman
SETH M. LEHRMAN (FBN 132896)
seth@epllc.com

*Attorneys for Plaintiff Marcelo Cattarossi,
Representative of Estate and person of
Graciela Ponce de Leon de Cattarossi*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that in March 23, 2022, a true and correct copy of the forgoing 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/ Seth M. Lehrman
SETH M. LEHRMAN

Dear Judge Hanzman,

On behalf of The Cattarossi family, my family, who tragically lost five souls in unit CTS #501, I would like to respectfully address the proposed Allocation Settlement Agreement. My parents Gino Cesar Cattarossi (89 years old) and Graciela Ponce de León de Cattarossi (85 years old), who owned and lived in the unit were lost. My youngest sister Graciela Maria Cattarossi (48 years old) and her daughter Stella Cattarossi (7 years old) lived in CTS unit #501 with my parents and they are lost and gone. My oldest sister Andrea Maria Cattarossi (56 years old) resided in Argentina and was visiting our parents at the time of the collapse, she is lost and no longer with us.

We do not object to the \$83M cap on homeowner compensation.

We respectfully request that insurance recoveries obtained by unit owners not be deducted from the common fund allocated to them. The \$83M cap is a reasonable settlement, which requires all parties, including unit owners, as well as us, to make significant concessions. Accordingly, we request that the Court not approve Section 3.g. of the Allocation Settlement Agreement and disapprove any setoff or reduction of a Participating Unit Owner's Individual Percentage Share of the Common Fund for insurance proceeds received.

Alternatively, if the Court does approve a setoff or reduction for insurance proceeds received, then my family respectfully requests that the Court order that insurers who paid insurance proceeds have no right of subrogation or reimbursement from any allocation settlement monies paid since it would be unjust to have both a reduction of the common fund allocation for the amount of insurance proceeds received and to have the insurer seek reimbursement from the reduced common fund distribution made through the proposed settlement.

Thank you for considering my family's request.

Respectfully,

Marcelo Cattarossi

Individually and as Personal Representative of the Estates of Gino Cesar Cattarossi, Graciela Ponce de León de Cattarossi, and Graciela Maria Cattarossi and as Curator of the Estate of Andrea Maria Cattarossi, mother of 3 children, Jeronimo, Juan and Joaquin (minor).