

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

Manuel Guara, as personal representative of the Estate of Marcus J. Guara, by and through undersigned counsel, hereby gives Notice of Filing the attached correspondence dated March 29, 2022 raising matters for the Court's consideration of the proposed Allocation Settlement Agreement.

Dated this 29th day of March, 2022.

LEESFIELD SCOLARO, P.A.

*Attorneys for Manuel Guara, as personal
representative of the Estate of Marcus J. Guara*
2350 South Dixie Highway
Miami, Florida 33133
Tel: 305-854-4900 Fax: 305-854-8266

By: /s/ Carlos M. Macias

IRA H. LEESFIELD	Florida Bar No.: 140270
Primary service e-mail:	leesfield@leesfield.com
Additional service e-mail:	arguello@leesfield.com
THOMAS SCOLARO	Florida Bar No.: 178276
Primary service e-mail:	scolaro@leesfield.com
Additional service e-mail:	azcuy@leesfield.com
CARLOS M. MACIAS	Florida Bar No.: 107005
Primary service e-mail:	macias@leesfield.com
Additional service e-mail:	becerra@leesfield.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that in March 29, 2022, a true and correct copy of the forgoing and enclosed was filed electronically through the Florida Court's E-Filing Portal, which will provide electronic service of the filling to all counsel of record.

By: /s/ Carlos M. Macias
Carlos M. Macias

March 29, 2022

Dear Judge Hanzman,

My apologies for not being able to attend the hearing scheduled for March 30, 2022 in person. However, my attorney Carlos M. Macias of Leesfield Scolaro, P.A. will be present and is able to speak on my behalf.

My brother, Marcus Guara, along with his wife and two daughters were in their rental unit at the time of the Champlain Tower collapse. As a result, all of them died. It appears my brother may have been renting the unit from a Florida LLC, La Comparcita, LLC. The owners of La Comparcita, LLC are believed to be Costa Rican and/or foreign individuals residing in Costa Rica or elsewhere. We have also been informed that the owner(s) of the unit may not have had insurance on the unit at the time of the collapse.

My issue and request with the allocation deals with the payment and/or allocation of funds to foreign and/or corporate unit owners who had non-owner wrongful death victims in their unit. As you well know, a foreign and/or corporate owner of any of these units could very well take the proceeds from this allocation, dissolve the corporation, if any, and/or transfer the funds from the United States to their foreign country. This would leave little to no collectable assets should any wrongful death non-owner be successful in any claim against them.

I believe the proceeds from the allocation to any foreign and/or corporate unit owners who had non-owner wrongful death victims in their units at the time of the collapse should be held by the court appointed receiver in trust and abeyance pending the resolution of any claims which may be made against them. The other option is that such foreign and/or corporate unit owners and the wrongful death non-owner claimants be ordered to mediation to resolve these claims if possible. It seems unjust that a potentially negligent unit owner would be made whole and able to flee the country with the allocation payment or conceal it by dissolving their corporation. Should this occur, it would leave the wrongful death non-owner victims without any collectable assets should they be able to obtain any future judgments against them.

Thank you for your diligence in the handling of this matter. We hope you consider this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Manuel Guara', written in a cursive style.

Manuel Guara
Personal Representative of the Estate of Marcus Guara