

**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.**

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**RECEIVER'S MOTION FOR ENTRY OF AN ORDER  
AUTHORIZING RELOCATION OF EVIDENCE TO AN ADDITIONAL  
PRIMARY EVIDENCE FACILITY AND AUTHORIZING REARRANGEMENT  
OF EVIDENCE WITHIN THE EXISTING PRIMARY EVIDENCE FACILITY**

Michael I. Goldberg (the "Receiver"), pursuant to Rule 4 of the Complex Business Litigation Rules, seeks entry of an Order authorizing NIST to relocate collapse site evidence from the Existing Primary Evidence Facility ("Existing PEF") to an Additional Primary Evidence Facility ("Additional PEF") in Miami-Dade County pursuant to the following protocol and also seeks authorization for NIST to rearrange some of the evidence that will remain in the Existing PEF in accordance with the following protocol. In support thereof, the Receiver states as follows:

1. As contemplated in the Joint Access Protocol for Non-invasive Review and Testing—Primary Evidence Facility – PHASE ONE (Phase One Protocol), NIST intends to move certain of the evidence to an additional PEF located in Miami-Dade County to ensure safe and effective access to the evidence. NIST also will rearrange some of the evidence in the Existing PEF to ensure safe and effective access to the evidence.

2. All Participants in the Phase One Protocol will be afforded the opportunity to document the evidence to be moved and/or rearranged.

3. NIST will prepare all the evidence for the move to the Additional PEF and/or for relocation within the Existing PEF. This preparation primarily involves removing any loose materials from the specimens. Any loose material having a smallest dimension greater than 1 foot will be tagged and stored in the PEF as sub specimens to the parent specimen. All other (smaller) loose material will be collected in buckets, tagged and stored in the PEF as sub specimens to the parent specimen. NIST has identified fewer than a dozen pieces of evidence that will require cutting reinforcing bars to separate and move.

4. Of the collapse debris, the most fragile specimens identified by NIST, as well as all multi-story columns, will remain in the current PEF to minimize their movement. Multi-story columns may be relocated within the current PEF using a forklift with a custom-fabricated spreader beam to provide several pick points. All other specimens will be lifted with a forklift furnished with nylon covers to avoid damage.

5. Evidence to be relocated will be loaded on flatbed trucks, supported by 6 inch x 6 inch dunnage, spaced no more than 4 feet apart and will be covered with tarps after they are loaded on the trucks to protect the evidence and to comply with conditions set forth in U.S. EPA's Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) No Action Assurance (NAA) letters to the State of Florida, limiting potential exposure to implosion debris, which by EPA regulation are deemed presumptively asbestos-containing materials.

6. In their final locations, all specimens will be supported on 8 inch x 8 inch dunnage. The evidence stored in buckets will be placed on storage racks in the Existing PEF or transported on flatbed trucks to be stored on storage racks in the Additional PEF.

7. Conditioned on finalizing the lease for an Additional PEF, it is anticipated that evidence will be transported in May 2022. Specimen relocation and rearrangement activities will continue through June 2022.

WHEREFORE the Receiver respectfully requests that this Court enter an Order granting this Motion and authorizing : (1) the preparation of evidence for relocation to an Additional PEF and for rearrangement within the Existing PEF; (2) the relocation of evidence in accordance with the protocols set forth herein to an Additional PEF; (3) the rearranging evidence in accordance with the protocols set forth herein within the Existing PEF; and (4) granting such other relief as is just and proper.

Date: May 10, 2022

Respectfully submitted,

/s/ Michael I. Goldberg  
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*Court-Appointed Receiver*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 10, 2022, a copy of the foregoing was electronically filed with the Clerk of Court by using the Florida Courts E-Filing Portal and a copy of same was furnished to all counsel of record through the Florida Court's E-Filing Portal.

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