

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

IN RE: CHAMPLAIN TOWERS SOUTH
COLLAPSE LITIGATION,

CLASS REPRESENTATION

CASE NO.: 2021-015089-CA-01

COMPLEX BUSINESS
LITIGATION DIVISION

MOTION FOR STATUS CONFERENCE REGARDING CLAIMS HEARINGS

Leadership of the Wrongful Death and Personal Injury Class pursuant to Section 4 of the Complex Business Litigation Rules, files this Motion for Status Conference regarding the Claims Administration Process hearings. In support of this Motion, we state as follows:

1. The Final Fairness Hearing is set for June 23, 2022, after which, if the Court approves of the settlement before it, the Court will embark on the Claims Administration Process. As part of the Claims Administration Process, the Court will begin hearing from Claimants who have requested a hearing before the Court. Notably, no opt-outs or objections to the settlement were filed by the deadline, June 16, 2022.

2. Of course, while the claims hearings are contingent on the Court's final approval of the settlement, hearing preparations have begun by those counsel and Claimants who will be presenting claims before the Court. Counsel expect that dozens of wrongful death and personal injury claims hearings will be requested. To that end, questions have been raised about the protocol and process the Court will employ during each Claimant's allotted hearing time.

3. Areas of inquiry include:

- a. Will the Court allow presentation of unsworn video testimonials, supported or supplemented with zoom or in-person sworn witness or expert testimony at the Court's request?

- b. In what format will the Court conduct the hearing: will the Court be expecting formal direct examination to be performed by counsel?
- c. Will the Court entertain expert reports or testimony in the area of lost economics, life care plans, etc.?
- d. Will anyone other than the Claimant and their counsel be permitted in the courtroom during the hearing?
- e. Will the personal injury and wrongful death hearings be subject to the same protocol and procedures?

4. Leadership of the Wrongful Death and Personal Injury Class believe that all participating counsel and Claimants will benefit from a brief hearing to learn from the Court the manner in which the Claims Administration Process hearings should be conducted. We believe this will allow for there to be uniformity in process among the hearings and will serve the Court best.

5. Undersigned Leadership of the Wrongful Death and Personal Injury Class therefore request a Status Conference in this matter no earlier than June 30, 2022. This date is requested for two reasons. First, we want to ensure that nothing detracts from the important work the Court is undertaking in reviewing and considering the settlement for approval. Second, if approval of the settlement is granted, Leadership of the Wrongful Death and Personal Injury Class intend on conducting a meeting on June 29, 2022, amongst interested counsel to collaborate on areas of uncertainty and on suggestions for the Claims Administration Process hearings.

WHEREFORE, undersigned respectfully request a Status Conference be set in this matter to discuss the above-described matters as soon as practically possibly on or after the June 30, 2022.

Dated: June 17, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served electronically on this 17th day of June, 2022, via the Florida Courts e-Filing Portal, on all counsel of record.

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