

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

IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE
LITIGATION,

CLASS REPRESENTATION

CASE NO: 2021-015089-CA-01

CBL DIVISION

JOINT NOTICE OF FILING OF WITHDRAWAL

The Receiver, Class Counsel, and the Settling Parties¹ hereby notify the Court that they are formally withdrawing the following docket entries:

- The Receiver and Plaintiffs' Motion for Clarification of Terms of June 24, 2022 Final Order Terms and Extension of Time filed July 28, 2022;
- Settling Parties' Motion for Enlargement of Time and Request for a Status Conference dated July 28, 2022; and
- The Receiver and Plaintiffs' Response in Opposition to Settling Parties' Motion for Enlargement of Time and Request for a Status Conferenced dated August 1, 2022.

In so withdrawing, the Parties wish to further notify the Court of the following:

1. The Receiver and Class Counsel sought clarification from the Court to ensure that no person misunderstands the scope of the Receivership Bar Order, which was attached to the Settlement Agreement as Exhibit M and will be entered by the Court as a term of that Settlement Agreement. Specifically, the Receiver and Class Counsel wanted to exclude from the Receivership Bar Order direct claims by tenants or guest against the appropriate Unit Owners to the same extent those direct claims are included within the "Tenant/Guest Carve-Out" set forth in the Court's Final Bar Order dated April 6, 2022;

¹ For purposes of this Joint Notice, the term "Settling Parties" has the same meaning ascribed to it the Settlement Agreement with the exception of the inclusion of Tanenbaum Harber of Florida, LLC, who, as of the date of this Joint Notice, has neither consented, nor objected, to the filing of this Joint Notice. Therefore, for the time being, Tanenbaum Harber of Florida, LLC does not join in this Joint Notice.

2. No later than 24 hours following this Notice, the Receiver shall file a Motion for the Immediate Entry of the Receivership Bar Order in the form of Exhibit M attached to the Settlement Agreement;

3. Thereafter, should Class Counsel and the Receiver move for the Court to modify the Receivership Bar Order to exclude direct claims by tenants and guests against the appropriate Unit Owners, then the Settling Parties will not oppose such relief provided that the modification sought is limited to only those direct claims included within “Tenant/Guest Carve-Out” set forth in the Court’s Final Bar Order dated April 6, 2022 and no other modifications to the Receivership Bar Order are sought by the Receiver, Class Counsel or any Settlement Class Member. The Settling Parties’ reserve their right to oppose any other modifications or vacations of the Receivership Bar Order; and,

4. Class Counsel and the Receiver shall file a subsequent Motion for Preliminary Approval of the separate, pending settlement with the three new settling entities, which will have attached thereto a separate, supplemental bar order pertaining to those entities.

Dated: August 4, 2022

Respectfully submitted,

/s/ Michael J. Thomas
Michael J. Thomas
Florida Bar No.: 21309
GREENBERG TRAUIG, P.A.
333 S.E. 2nd Avenue, Suite 4400
Miami, Florida 33131-3238
Email: thomasmic@gtlaw.com
**Counsel for 8701 Collins Development, LLC
Terra Group, LLC and
Terra World Investments, LLC**

/s/ Harley S. Tropin
Harley S. Tropin
Florida Bar No. 241253
KOZYAK TROPIN & THROCKMORTON, LLP
2525 Ponce de Leon Blvd., 9th Floor
Coral Gables, FL 33134
hst@kttlaw.com
Plaintiffs’ Co-Chair Lead Counsel

/s/ Rachel W. Furst

Rachel W. Furst, Esq.
Florida Bar No. 45155
GROSSMAN ROTH YAFFA COHEN, P.A.
2525 Ponce de Leon Boulevard, Suite 1150
Coral Gables, FL 33134
szg@grossmanroth.com

Plaintiffs' Wrongful Death Damage Claim Liaison Counsel

/s/ Christopher Carver

Christopher Carver, Esq.
Florida Bar Number: 993580
AKERMAN LLP
201 E. Las Olas Boulevard, Suite 1800
Fort Lauderdale, Florida 33301-2999
Email: christopher.carver@akerman.com
Counsel for Receiver Michael Goldberg

/s/ Christine Welstead

Christine Welstead
Florida Bar No. 970956
BOWMAN AND BROOKE LLP
Two Alhambra Plaza, Suite 800
Coral Gables, FL 33134
christine.welstead@bowmanandbrooke.com
Attorneys for Securitas Security Services USA, Inc.

/s/ Robert Klein

Robert M. Klein
Florida Bar No. 230022
Mark Sullivan
Florida Bar No. 49044
KLEIN PARK & LOWE
9130 South Dadeland Blvd., Suite 2000
Miami, FL 33156
kleinr@kleinpark.com
sullivanm@kleinpark.com
Attorneys for Becker & Poliakoff, P.A.

/s/ Michael A. Hornreich

Ross D. Ginsberg (GBN 705121) *Pro Hac Vice*
Michael A. Hornreich
Florida Bar No. 379972
WEINBERG WHEELER HUDGINS GUNN & DIAL
3344 Peachtree Road, Suite 2400
Atlanta, GA 30326
rginsberg@wwhgd.com
mhornreich@wwhgd.com
Attorneys for Stantec Architecture Inc.

/s/ Michael I. Goldberg

Michael I. Goldberg, Esq.
Florida Bar Number: 886602
AKERMAN LLP
201 E. Las Olas Boulevard, Suite 1800
Fort Lauderdale, Florida 33301-2999
Email: CTSReceivership@akerman.com
Court-Appointed Receiver and Settlement Administrator

/s/ Eric P. Hockman

Eric P. Hockman
Florida Bar No. 64879
WEISS SEROTA HELFMAN SOLE
& BIERMAN, P.L.
2525 Ponce de Leon Blvd., Suite 700
Coral Gables, Florida 33134
ehockman@wsh-law.com
Attorneys for the Town of Surfside

/s/ Seth M. Schimmel

Seth M. Schimmel
Florida Bar No. 986781
Michael S. Hooker
Florida Bar No. 330655
PHELPS DUNBAR LLP
100 South Ashley Drive, Suite 2000
Tampa, FL 33602
seth.schimmel@phelps.com
michael.hooker@phelps.com
Attorneys for John Moriarty & Associates of Florida, Inc.

/s/ Kimberly Cannon Hirschman

Kimberly Cannon Hirschman
Florida Bar No. 58881
REMBOLD HIRSCHMAN
2121 Ponce de Leon Blvd. Ste. 500
Coral Gables, FL 33134
KHirschman@therhlawfirm.com
Attorneys for Sammet Pools, Inc.

/s/ Michael K. De Chiara

Michael K. De Chiara
Jaimee L. Nardiello
ZETLIN & DE CHIARA LLP
801 Second Avenue
New York, NY 10017
mkd@zdlaw.com
jnardiello@zdlaw.com
Attorneys for DeSimone Consulting Engineering, DPC

/s/ Ryan M. Charlson

Ryan M. Charlson
Florida Bar No. 95033
George R. Truitt
Florida Bar No. 963356
Ryan G. Soohoo
Florida Bar No. 1008087
COLE, SCOTT & KISSANE, P.A.
Cole Scott & Kissane Building
9150 S. Dadeland Boulevard
Miami, FL 33156
ryan.charlson@csklegal.com
george.truitt@csklegal.com
ryan.soohoo@csklegal.com
Attorneys for NV5, Inc.

/s/ Edward Hernandez

Edward Hernandez
Florida Bar No. 527475
Glenn P. Falk
Florida Bar No. 161669
Robert S. Covitz
Florida Bar No. 898198
Jessica M. Hernandez
Florida Bar No. 1025436
FALK, WAAS, HERNANDEZ, SOLOMON,
MENDLESTEIN & DAVIS, P.A.
135 San Lorenzo Avenue, Suite 500
Coral Gables, FL 33146
ehernandez@falkwaas.com
gfalk@falkwaas.com
rcovitz@falkwaas.com
jhernandez@falkwaas.com
**Attorneys for 8701 Collins Avenue Condominium
Association, Inc.**

/s/ Lee A. Kantor

Lee A. Kantor
Florida Bar No. 17343
HIGHTOWER, STRATTON, NOVIGROD
& KANTOR
330 Clematis Street, Suite 201
West Palm Beach, FL 33401
lkantor@hightowerlaw.net
Attorneys for Chuck's Backhoe Service, Inc.

/s/ Curtis L. Brown

Curtis L. Brown
Florida Bar No. 856312
WRIGHT, FULFORD, MOORHEAD & BROWN
505 Maitland Ave., Suite 1000
Altamonte Springs, FL 32701
cbrown@wfmbllaw.com
Attorneys for H. Vidal & Associates, Inc.

/s/ Aron U. Raskas

Aron U. Raskas
Florida Bar No. 1022416
GUNSTER, YOAKLEY & STEWART, P.A.
600 Brickell Avenue, Suite 3500
Miami, FL 33131
araskas@gunster.com
David M. Wells
Florida Bar No. 309291
GUNSTER, YOAKLEY & STEWART, P.A.
1 Independent Drive, Suite 2300
Jacksonville, FL 33202
dwells@gunster.com
Attorneys for Morabito Consultants, Inc.

/s/ Alvin F. Lindsay

Alvin F. Lindsay
Florida Bar No. 939056
Sarah Jayne Cohen
Florida Bar No. 1010683
HOGAN LOVELLS US LLP
600 Brickell Avenue, Suite 2700
Miami, FL 33131
alvin.lindsay@hoganlovells.com
sarah.cohen@hoganlovells.com
Attorneys for Bizzi & Partners Development LLC

/s/ J. Matthew Marquardt

J. Matthew Marquardt, Esq.
Florida Bar No. 981982
MCFARLANE FERGUSON & MCMULLEN
625 Court Street, Suite 200
Clearwater, FL 33756
jmm@macfar.com
Attorneys for ASAP Installations LLC

/s/ Bryan W. Black

Bryan W. Black
Florida Bar No. 573868
DERREVERE STEVENS BLACK & COZAD
2005 Vista Parkway, Suite 210
West Palm Beach, FL 33411
bwb@derreverelaw.com
Attorneys for O & S Associates, Inc.

/s/ Daniel J. Santaniello

Daniel J. Santaniello
Florida Bar No. 860948
David L. Rosinsky
Florida Bar No. 77061
LUKS SANTANIELLO, PETRILLO COHEN
& PETERFRIEND
110 SE 6th Street, 20th Floor
Fort Lauderdale, FL 33301
djs@insurancedefense.net
drosinsky@insurancedefense.net
**Attorneys for Concrete Protection and
Restoration, LLC**

/s/ Mitchell Katz

Mitchell Katz
Florida Bar No. 558877
RITTER CHUSID, LLP
5850 Coral Ridge Drive, Suite 201
Coral Springs, FL 33076
mkatz@ritterchusid.com
Attorneys for Willcott Engineering, Inc.

/s/ William E. Stacey, Jr.

William E. Stacey, Jr.
Florida Bar No. 940460
WILLIAM E. STACEY, JR., P.A.
P.O. Box 460053
Fort Lauderdale, FL 33346
wes@wespa.us
Attorneys for Scott R. Vaughn, PE, LLC

/s/ Thomas Oglesby

Thomas Oglesby
Florida Bar No. 121254
Marcos Guerrero
Florida Bar No. 1002998
RESNICK & LOUIS, P.C.
444 Brickell Avenue, Suite 300
Miami, FL 33131
toglesby@rlattorneys.com
mguerrero@rlattorneys.com
Attorneys for Geosonics, Inc.

/s/ James M. Shaw

James M. Shaw, Esq.
Florida Bar No. 16238
TORRESVICTOR
James M. Shaw
1451 W. Cypress Creek Road, Suite 211
Fort Lauderdale, FL 33309
Attorneys for Campany Roof Maintenance, LLC

/s/ E. Britton Monroe

E. Britton Monroe
LLOYD, GRAY, WHITEHEAD & MONROE
880 Montclair Road, Suite 100
Birmingham, Alabama, 35213
bmonroe@lgwmlaw.com
Attorneys for CDPW, Inc.

/s/ Michael F. Suarez

Michael F. Suarez
Florida Bar No. 88845
KUBICKI DRAPER
9100 S. Dadeland Blvd., Suite 1800
Miami, FL 33156
mfs@kubickidraper.com
**Attorneys for Western Waterproofing Company of
America, d/b/a Western Specialty Contractors of
America and
Western Holding Group,
Inc. a/k/a Western Group, Inc.**

/s/ David B. Israel

David B. Israel, Esq.
Florida Bar No. 984078
ISRAEL, ISRAEL & ASSOCIATES, P.A.
6099 Stirling Road, Suite 211
Davie, FL 33314
toglesby@rlattorneys.com
mguerrero@rlattorneys.com
**Attorneys for R.E.E. Consulting, LLC
d/b/a G. Batista & Associates**

/s/ Ira Libanoff

Ira Libanoff, Esq.
Florida Bar No. 378429
FERENCIK LABINOFF BRANDT BUSTAMANTE
AND GOLDSTEIN, P.A.
7901 SW 6th Court, Suite 300
Plantation, FL 33324
ilibanoff@flbbwlaw.com
Attorneys for Florida Civil, Inc.

/s/ Ryan M. Charlson

Ryan M. Charlson
Florida Bar No. 95033
George R. Truitt
Florida Bar No. 963356
Ryan G. Soohoo
Florida Bar No. 1008087
COLE, SCOTT & KISSANE, P.A.
Cole Scott & Kissane Building
9150 S. Dadeland Boulevard
Miami, FL 33156
ryan.charlson@csklegal.com
george.truitt@csklegal.com
ryan.sooohoo@csklegal.com
Attorneys for Rhett Roy Landscape Architecture LLC