

**IN THE CIRCUIT COURT OF THE 11TH 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**

APPLICATION FOR FEES

Pursuant to the Court's August 3, 2022 *Sua Sponte Order on Supplemental Attorneys' Fees Applications*, the law firm of Colson Hicks Eidson, P.A. ("CHE") respectfully requests attorneys' fees and reimbursement of costs for its work on behalf of its clients throughout the CTS claims process as summarized in the Declaration of Curtis B. Miner, Esq. attached as Exhibit A. Exhibit A to the attached Declaration contains a breakdown of CHE's requested lodestar amount. As stated in the Declaration, CHE will be providing time and expense printouts supporting CHE's requested lodestar amounts to the Court for *in camara* review.

WHEREFORE, Colson Hicks Eidson, P.A. respectfully requests attorneys' fees and reimbursement of costs as reflected in the attached Declaration.

Respectfully submitted,

COLSON HICKS EIDSON, P.A.
255 Alhambra Circle, Penthouse
Coral Gables, FL 33134
Tel: (305) 476-7400

By: /s/ Curtis B. Miner
Curtis B. Miner
Fla. Bar No. 885681
curt@colson.com

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on the 26th day of August 2022, we electronically filed the foregoing via the Florida Courts e-Filing Portal which will serve a true and correct copy to all counsel of record.

By: /s/ Curtis Miner
Curtis Miner
(Florida Bar No. 885681)

EXHIBIT A

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

CASE NO.: 2021-015089-CA-01

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**IN RE: CHAMPLAIN TOWERS SOUTH
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**DECLARATION OF COURT-APPOINTED CLASS COUNSEL CURTIS MINER
FILED ON BEHALF OF COLSON HICKS EIDSON, P.A. IN SUPPORT OF
APPLICATION FOR AWARD OF ATTORNEYS' FEES AND COSTS**

I, Curtis Miner, do hereby declare and state as follows:

1. I am a Partner at the law firm of Colson Hicks Eidson, P.A. (“CHE”) and have served as one of the Court-appointed Liaison Counsel to the Wrongful Death Class in this matter. I submit this Declaration in further support of Class Counsel’s unified Fee Application filed June 12, 2022, and CHE’s request for an award of attorneys’ fees and reimbursement of expenses in connection with the services we rendered in this case. This Declaration briefly summarizes my firm’s work on this case from June 1, 2022, forward, and supplements CHE’s submissions to the Court in connection with the June 12, 2022, Fee Application.

2. Over the past three months, CHE has been deeply involved in the claims process assisting members of the Wrongful Death Class and personal injury victims. We have had the privilege of representing the families of ten (10) of the wrongful death victims and the privilege of representing two (2) of the catastrophic personal injury victims throughout this matter and with particular devotion of time during the claims process. There may be a more lawyerly way to describe this work (and I will briefly do so below), but the simplest description is to say it was an intense experience. The lawyers and paralegals at CHE who were fortunate to assist these clients regard it as among the most meaningful work they have done in their careers.

3. For each of our clients, we spent substantial time face-to-face, either in person or by Zoom, explaining the claims process, explaining Florida law and how statutory survivors are determined and how damages are calculated, assisting with the completion of Claim Forms, gathering evidence and documentation to support the claim, engaging and working with experts where appropriate to the case, working with a professional filmmaker in some cases, and meeting (in some cases on multiple occasions) with clients to prepare them for and make them comfortable with appearing at the claim hearing before the Court. Because of time differences with the geographical location of some of the clients, or a desire to accommodate clients' work and school schedules, many of these meetings took place after normal work hours. Our CHE team spent substantial time gathering and culling through medical records (for the personal injury victims), gathering and culling through therapy or other treatment records (for survivors), liaising and responding to information requests from the experts (including a damages expert and a life care planning/vocational rehabilitation expert), and gathering and winnowing down family photographs and other material to assist the clients in the presentations at the hearings.

4. In addition, in my role as Liaison Counsel (with my contact information provided on each of the claim forms along with that of Rachel Furst), I also fielded a large number of calls and e-mails from other personal injury and property damage claimants and potential claimants to give them guidance on the claims process, vet their claims and advise them on whether or not to file a claim, and assist them with their claim forms where a claim was appropriate. I think this work assisted in streamlining the claims process for the Court, because it resulted in more short-form claims being filed (as opposed to long-form personal injury claim forms), and in some cases presumably resulted in no claim being filed (where a claim was not supported by the facts). Regardless of the type or merit of the potential claim, I tried to devote sufficient time to make sure the claimant fully understood the process and the parameters of allowable claims and to make sure they had an opportunity to explain their individual circumstances.

5. The information in this Declaration regarding my firm's time and expenses is documented and reflected in time and expense printouts and supporting documentation prepared

and maintained by my firm in the ordinary course of business, and which is being submitted directly to the Court for *in camera* review. I am the partner who oversaw the activities in this matter and I have reviewed these printouts (and backup documentation where necessary or appropriate) in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries on the printouts as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation, including the elimination of time that was unnecessary or duplicative.

6. The number of hours spent on these matters by my firm from June 1, 2022, until August 25, 2022, is approximately 384, which results in a lodestar amount of \$159,162. A breakdown of the lodestar is provided in **Exhibit A**. The hourly rates shown in Exhibit A are the usual and customary rates set by the firm for each individual attorney, paralegal or other paraprofessional. The chart set forth as Exhibit A was prepared from contemporaneous time records of the firm. The time sheets are being provided to the Court *in camera*.

7. CHE has also incurred costs and expenses in connection with its work assisting class members during the claims process and the presentation of individual clients' claims. The detail on those costs, and the breakdown by individual clients, is being provided to the Court *in camera*.

8. The time and the expenses for which payment is sought as set forth in this declaration are reasonable in amount and were necessary for the effective and efficient presentation of the class members' claims. In addition, I believe that the expenses are all of a type that would normally be charged to a fee-paying client in the private legal marketplace, and are reflected in the books and records of CHE. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: August 26, 2022.

/s/ Curtis B. Miner

CURTIS B. MINER

EXHIBIT A

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**IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION
TIME REPORT**

FIRM NAME: COLSON HICKS EIDSON, P.A.

REPORTING PERIOD: June 1, 2022 through August 25, 2022

Name (Status)	Total Hours	Hourly Rate	Total Lodestar
Curtis Miner (Partner)	81.70	\$ 925.00	\$ 75,572.50
Eleni Constant (Associate)	161.10	\$ 350.00	\$ 56,385.00
Claudia Velazquez (Paralegal)	91.25	\$ 200.00	\$ 18,250.00
Maggie Kalbac (Paralegal)	49.75	\$ 180.00	\$ 8,955.00
TOTALS	383.80		\$159,162.50