

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

APPLICATION FOR SUPPLEMENTAL ATTORNEY FEES AND EXPENSES

Marcelo Cattarossi, through counsel, Edwards Pottinger, LLC, files this Application for Supplemental Attorney Fees and Expenses, pursuant to this Court's ("Application"), August 3, 2022 Sua Sponte Order on Supplemental Attorney's Fees Applications and hereby states as follows:

1. Movant's counsel Edwards Pottinger, LLC files this Application at the instruction of their client Marcelo Cattarossi, as personal representative of the Estates of Graciela Ponce de Leon de Cattarossi, Gino Cesar Cattarossi, Andrea Maria Cattarossi and Graciela Maria Cattarossi (the "Cattarossi Estates") and at the Court's urging. Edwards Pottinger, LLC previously filed a notice of pro bono representation, confirming its willingness to represent the Cattarossi family without seeking attorney fees that would diminish their clients' recovery or the recovery of other victims. Edwards Pottinger, LLC submits this request for reimbursement of expenses and attorney fees, to the extent such an award would not diminish client recoveries.

2. Gino Cesar Cattarossi, Graciela Ponce de Leon de Cattarossi, Graciela Maria Cattarossi and Stella Cattarossi all resided at Champlain Towers South Condominium ("CTS"), Unit 501. In addition, on June 24, 2021, Andrea Maria Cattarossi was visiting her family at CTS. Five members of the Cattarossi family were lost as a result of the building's collapse.

3. Mr. Cattarossi began consulting with Edwards Pottinger, LLC attorneys on July 2, 2021.

4. In July 2021, Marcelo Cattarossi, as personal representative of the Cattarossi Estates, retained Edwards Pottinger, LLC (“EP”) to represent him in pursuing wrongful death claims on behalf of each of these four estates (the “Cattarossi Wrongful Death Claims”).

5. EP has spent significant time performing work in connection with the Cattarossi Wrongful Death Claims.

6. EP’s attorneys Bradley J. Edwards, Seth M. Lehrman and Catherine Davis provided counsel to Mr. Cattarossi and survivors of the Cattarossi family, investigated and researched the subject wrongful death claims, communicated and corresponded with the court-appointed Receiver and class counsel, and attended hearings in this matter. Since July 2021, EP’s attorneys and paralegals have rendered services and incurred expenses on behalf of Marcelo Cattarossi, as personal representative of his family’s estates and in connection with the Cattarossi Wrongful Death Claims.

7. Seth M. Lehrman’s Declaration (“Lehrman Decl.”) attesting to EP’s time reasonably expended and expenses advanced from July 2021 through the present is attached.

8. EP has expended a total of 158.2 hours on the Cattarossi Claims. *See*, Lehrman Decl., ¶¶ 8,9. In the exercise of reasonable billing judgment, EP has billed 129.8 of the total hours expended and has not billed for more than 28.4 hours, including time spent attending hearings by Zoom that related to the conduct of the class litigation but were unrelated to the settlement, since EP was not class counsel. *See*, Lehrman Decl., ¶¶ 8,9.

9. EP has advanced expenses in the amount of \$10,820.59. *See*, Lehrman Decl., ¶ 7.

10. The number of hours of work performed and hourly rates of the EP members are set forth below.

Name	Hourly Rate	Hours of Work Performed	Fees for Services
Bradley J. Edwards (Partner)	\$700.00	20.6	\$14,420.00
Seth M. Lehrman (Partner)	\$650.00	81.1	\$52,715.00
Catherine Davis (Associate)	\$400.00	17.2	\$6,880.00
Iris Zambrano (Paralegal)	\$125.00	10.9	\$1,362.50
TOTAL		129.8	\$75,377.50

See, Lehrman Decl., ¶ 8.

11. EP's billed time and expenses total \$86,198.09. *See*, Lehrman Decl., ¶ 7, 8 and 12.

12. Over the course of our engagement, EP has performed the following reasonable and necessary work which advanced and protected the interests of the Cattarossi family in the instant action: EP researched and investigated the Cattarossi Wrongful Death Claims, prepared and filed a wrongful death complaint on behalf of the Estate of Graciela Ponce de Leon de Cattarossi, consulted with experts, reasonably and necessarily monitored the class action litigation, regularly communicated with the personal representative of the Cattarossi Estates, communicated with probate counsel, prepared claims forms and documents that were submitted along with the claims packages, met with clients, survivors and witnesses and prepared them to participate in damages hearings, and conducted damages hearings in connection with the Estates of Graciela Ponce de Leon de Cattarossi, Gino Cesar Cattarossi, and Andrea Maria Cattarossi.

WHEREFORE, Movant, Marcelo Cattarossi, Personal Representative of the Cattarossi Estates, respectfully requests that the Court grant this application and the request for attorney fees and expenses, and award his attorneys, Edwards Pottinger, LLC, reasonable attorneys' fees and expenses that it expended in connection with the services provided to the Cattarossi family in this matter, and award any other and further relief as the Court deems just and proper.

Dated: August 24, 2022

Respectfully submitted,

EDWARDS POTTINGER, LLC
425 North Andrews Avenue, Suite 2
FORT LAUDERDALE, FL 33301
(954)524-2820 TELEPHONE
(954)524-2822 Fax
brad@epllc.com
catherine@epllc.com
seth@epllc.com

BY: /s/ Seth M. Lehrman
SETH M. LEHRMAN
FLORIDA BAR NO.: 132896
BRADLEY J. EDWARDS
FLORIDA BAR NO.: 542075
CATHERINE L. DAVIS
FLORIDA BAR NO.: 122172

*Attorneys for Marcelo Cattarossi, Representative of
the Estate of Graciela Ponce de Leon de Cattarossi,
the Estate of Gino Cesar Cattarossi, the Estate of
Graciela Maria Cattarossi, and the Estate of
Andrea Maria Cattarossi*

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

**DECLARATION OF SETH LEHRMAN
IN SUPPORT OF APPLICATION FOR
SUPPLEMENTAL ATTORNEY FEES AND EXPENSES**

I, Seth M. Lehrman, hereby state and declare the following pursuant to Fla. Stat. Sec. 92.525:

1. I am over eighteen (18) years of age and make this Declaration based on my personal knowledge of the facts set forth below.

2. I am a partner of the law firm Edwards Pottinger, LLC (“EP”). EP represents Marcelo Cattarossi, individually and as the personal representative of the Estates of Graciela Ponce de Leon de Cattarossi, Gino Cesar Cattarossi, Andrea Maria Cattarossi, and Graciela Maria Cattarossi.

3. I have been licensed to practice law in Florida since 1998, and I am an active member of the Florida Bar in good standing. I have been a member of the California Bar since 1995.

4. I have practiced law in the state of Florida for more than 24 years.

5. I am the primary timekeeper and attorney with principal responsibility for this matter at the firm. My partner Bradley J. Edwards, associate attorney Catherine Davis and paralegal Iris Zambrano all worked on this matter.

6. I make this Declaration in support of the Application for Supplemental Attorney's Fees and Expenses expended by EP from July 2021 through today.

7. I have reviewed EP's time and expense records related to this matter. I have personal knowledge of how EP's time and expense records are made and maintained. EP kept these time and expense records in the ordinary course of its business, and it is EP's regular practice to maintain these records. EP's time and expense records were made at or near the time of the events they record, and were made by or from information transmitted by a person with knowledge of the events they record. EP has advanced expenses in the amount of \$10,820.59 which was principally consisted of four retainers totaling \$10,000 paid to probate attorney Mark L. Gaeta, who has probated the four estates of the Cattarossi family. A true and correct copy of the time and expense records are attached as **Exhibit A**.

8. From my review of EP's time records, I compiled a summary of the hours, hourly billing rate, and total fees charged to Cattarossi during the relevant time period. The summary is as follows:

Name	Hourly Rate	Hours of Work Performed	Fees for Services
Bradley J. Edwards (Partner)	\$700.00	20.6	\$14,420.00
Seth M. Lehrman (Partner)	\$650.00	81.1	\$52,715.00
Catherine Davis (Associate)	\$400.00	17.2	\$6,880.00
Iris Zambrano (Paralegal)	\$125.00	10.9	\$1,362.50
TOTAL		129.8	\$75,377.50

9. The firm performed more than 28.4 hours of work, which, in the exercise of reasonable billing judgment, was not billed because such time was spent by attorneys Seth M. Lehrman and Catherine Davis attending status conferences and other hearings by Zoom in the class action or was otherwise not directly related to establishing the value of the various Cattarossi family claims. However, time spent attending class action hearings by Zoom that related to the proposed allocation settlement, wrongful death settlement and claims process were billed.

10. The billed time relates to services performed that were all reasonable and necessarily expended in connection with this litigation and the four Cattarossi Wrongful Death Claims.

11. The hourly rates of EP's partners, associates and paralegal in this matter are consistent with the prevailing hourly rates of practitioners with similar experience and charge for cases such as this one.

12. The total amount of attorney fees incurred by EP from July 2021 through today is \$75,377.50 which does not include an additional 28.4 hours of time that is not being requested for the reasons discussed *infra*. EP's billed time and expenses total \$86,198.09.

Under penalties of perjury, I declare that I have read the foregoing Declaration and that the facts state in it are true.

Executed this 24th day of August, 2022 in Fort Lauderdale, Florida.

/s/Seth M. Lehrman
Seth M. Lehrman