

**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**

**DECLARATION OF COURT APPOINTED CLASS COUNSEL JACK SCAROLA
FILED ON BEHALF OF THE FIRM OF SEARCY DENNEY SCAROLA BARNHART &
SHIPLEY, P.A. IN SUPPORT OF APPLICATION FOR AWARD OF ATTORNEYS'
FEES, COSTS AND EXPENSES**

I, Jack Scarola, do hereby declare and state as follows:

1. I am a Shareholder, Officer and Director of Searcy Denney Scarola Barnhart & Shipley, P.A. (“SDSBS”) and Court appointed Plaintiff Steering Committee Member in the above-entitled action. I submit this declaration in further support of Class Counsel’s unified Fee Application filed June 12, 2022, and SDSBS’s request for a share of any award of attorneys’ fees and reimbursement of expenses in connection with the services we rendered in this case. This declaration details the firm’s work on this case from June 1, 2022, forward, and supplements SDSBS’s submissions to the Court in connection with the June 12, 2022, Fee Application.

2. Over the past several months, I and other members of my firm provided legal services to class members in connection with the claims process administered by the Court. Those services are detailed in the contemporaneously created time records of the firm and have included the individual representation of the claimants identified below, the frequent communication with clients and family members, the detailed factual investigation of the circumstances of each claim, the research of all legal issues regarding standing, oversight of the establishment of required probate estates, comparable case research, claim evaluations, witness interviews, expert witness coordination, organization of claim submissions, claimant preparation, and attendance at claim hearings before the Court.

CLAIMANT	CASE TYPE	PERSONAL REPRESENTATIVE
Albert Agüero	Personal Injury	N/A
Janette Agüero	Personal Injury	N/A
Justin Willis	Personal Injury	N/A
Athena Agüero	Personal Injury	N/A
Estelle Hedaya	Wrongful Death	Linda Hedaya, Mother Isaac Hedaya, Brother
Vishal Patel	Wrongful Death	Bhavin Patel, Cousin
Bhavna Patel	Wrongful Death	Minesh Parekh, Brother
Aishani Patel	Wrongful Death	Bhavin Patel, 2 nd Cousin
Thomas Rodriguez	Personal Injury	N/A
Marlissa Rodriguez	Personal Injury	N/A
Mason Rodriguez	Personal Injury	N/A
Mia Rodriguez	Personal Injury	N/A

In addition, SDSBS, primarily through the personal efforts of the undersigned, coordinated with Lead Counsel, other PSC members, and outside counsel in formulating policy decisions, strategizing on claim procedures and substantive presentations, reviewing and revising pleadings, motions and memoranda, researching relevant verdicts and settlements, developing claim evaluation criteria, researching the current status of the diagnosis and treatment of PTSD, and attempting to achieve rational consistency in case evaluations. While not subject to quantification, it is also reasonable to assume that knowledge and appreciation of the very high regard in which SDSBS is held for the quality of its work in the area of wrongful death and personal injury litigation was a contributing factor in motivating defendants and prospective defendants to avoid the risks of trial and to settle the Champlain Towers collapse litigation at the historic level at which it was resolved.

3. 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.

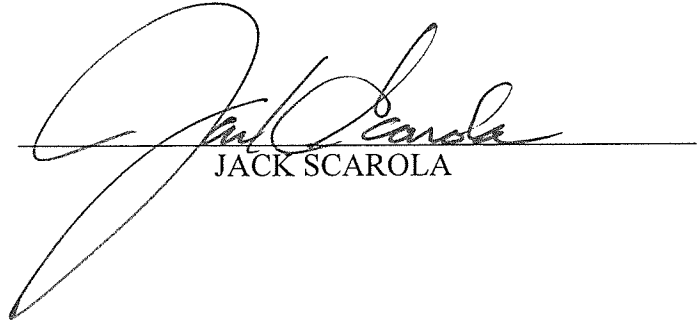
4. The number of hours spent on these matters by my firm from June 1, 2022, until August 25, 2022, is 377.40, which results in a lodestar of \$290,707.50. A breakdown of the lodestar is provided in **Exhibit A**. The lodestar amount for attorney and paralegal (or attorney/paraprofessional) time based on the firm's current rates are \$1,450.00 per hour for Christian Searcy, \$1,200.00 per hour for John Scarola, \$850.00 per hour for Mariano Garcia, \$900.00 per hour for Theron Bass, \$700.00 per hour for David Vitale, \$300 per hour for Sophia Letts, \$300 per hour for Shannon Baer, \$325 per hour for Chris Rodgers (paralegal), \$175.00 per hour for Nydia Serrano (paralegal) and \$175.00 per hour for Nestor Camacho (law clerk). 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 daily time records of the firm. The rates reflected are the firm's actual hourly billing rates currently charged by the firm in contrast to the rates reflected in this firm's prior submission, which rates were reduced to the capped limitations approved by the PSC.

5. Additionally, SDSBS has incurred expenses and charges in connection with the presentation of the individual clients' claims. Those expenses and charges are being provided to the Court *in camera* along with the time sheets relevant to those individual clients.

6. A breakdown of these expenses and charges are provided in Exhibit B. The total amount of these expenses and charges is \$34,393.69.

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

Executed this 26th of August, 2022 at West Palm Beach, Florida.



A handwritten signature in black ink, appearing to read "Jack Scarola", is written over a horizontal line. The signature is stylized and cursive.

JACK SCAROLA