

**IN THE CIRCUIT COURT OF THE 11<sup>TH</sup> 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**

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**APPLICATION FOR FEES**

Pursuant to the Court's August 3, 2022 *Sua Sponte Order on Supplemental Attorneys' Fees Applications*, the law firm of Saltz Mongeluzzi & Bendesky P.C. ("SMB"), respectfully requests attorneys' fees for its work on behalf of its clients throughout the CTS claims process as noted in the Declaration of Jeffrey P. Goodman, Esq., attached hereto as **Exhibit A**. Composite Exhibit A to the aforementioned Declaration contains a breakdown of SMB's requested lodestar amount. As stated in the Declaration, SMB will be providing time and expense printouts supporting SMB's requested lodestar amount to the Court for *in camera* review.

WHEREFORE, Saltz Mongeluzzi & Bendesky P.C. respectfully requests attorneys' fees as reflected in the attached Declaration.

Respectfully submitted,

**SALTZ MONGELUZZI & BENDESKY P.C.**

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By: /s/ Jeffrey P. Goodman

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed with the Clerk of Court using the Florida Courts E-Filing Portal thereby serving electronic notice to all counsel of record on August 25, 2022.

By: /s/ Jeffrey P. Goodman

# **EXHIBIT A**

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**DECLARATION OF JEFFREY P. GOODMAN, ESQUIRE FILED ON BEHALF OF  
THE FIRM OF SALTZ MONGELUZZI & BENDESKY P.C. IN SUPPORT OF  
APPLICATION FOR AWARD OF ATTORNEYS' FEES, COSTS AND EXPENSES**

I, Jeffrey P. Goodman, Esq., do hereby declare and state as follows:

1. I am a Partner of Saltz Mongeluzzi & Bendesky P.C. (“SMB”) and worked with Leadership through this litigation. SMB was appointed to the Plaintiffs’ Steering Committee with the seat being awarded to my partner, Robert Mongeluzzi. I submit this declaration in further support of Class Counsel’s unified Fee Application filed June 12, 2022, and SMB’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.

2. This declaration details my work on this case from June 1, 2022, forward, and supplements SMB’s submissions to the Court in connection with the June 12, 2022, Fee Application.

3. Since June 1, SMB attorneys, Jeffrey Goodman, Sam Dordick, and Rayna McCarthy, as well as SMB paralegals and firm professionals, under the supervision of firm President Robert Mongeluzzi, have dedicated themselves to providing the Court with a thorough understanding of the unimaginable magnitude of their clients’ losses, damages, and the impact on their lives.

4. SMB and its clients collectively wish to thank the Court for its dedication to this Claims Process and for its commitment to meeting with each victim and letting them be heard.

5. The substantial time and effort committed by SMB to develop and present their clients' damages to the Court, described herein, have been well spent—SMB's clients have found the Claims Process beneficial and it has helped them begin to close this devastating chapter in their lives and work to move forward. SMB's work in the claims process also provided key assistance to the Court in evaluating the claims.

6. SMB presented damages claims on behalf of seven decedents' families: Richard Roviroso; Maria Roviroso; Harold Rosenberg; Benny Weisz; Magaly Delgado, Simon Segal, and Nicole Doran-Manashirov. Of these clients, five of them elected to present their claims to the Court through a Claim Hearing and two selected the liquidated damages option.

7. SMB dedicated substantial time to meeting with each family, explaining the realities of Florida law concerning available wrongful death damages, counseling them, and preparing their Claim Forms and allowing each family to make an informed decision as to whether to liquidate damages or proceed with a claims hearing.

8. Over the past several months, SMB has devoted significant time to the Claims Process that has benefitted all of its clients. SMB attorneys Jeffrey Goodman and Robert Mongeluzzi attended all court hearings to develop a thorough understanding of the Claims Process and what the Court required for each claim in order to best advise their clients on how to most effectively present their claims.

9. SMB's attorneys and staff spent considerable time with each client to collect and catalogue all background and demographic information for each decedent and all of their survivors in order to properly complete the clients' Claim Forms. SMB also spent considerable time with each family discussing the Claims Process and ensuring that the families understood and were comfortable with the process and what would be required of them.

10. Aside from the general work related to the Claims Process that benefitted all of SMB's clients, for those that elected to have a Claim Hearing, SMB's efforts to develop and present the claims to the Court can largely be broken down into two categories: (1) those related

to determining economic loss; and (2) those related to encapsulating and presenting non-economic loss.

**I. SMB's Efforts Related to Determining Clients' Economic Loss.**

11. SMB's clients who elected Claims Hearings were all wage earners whose survivors have suffered economic loss as a result of their death. The analysis of some claimants' economic loss was more complex than others, but all required a significant dedication of SMB's time and effort. SMB's efforts for each client are broken down below.

**A. Estate of Magaly Delgado**

12. SMB worked with Ms. Delgado's daughter, Maggie Ramsey, and her family to collect the relevant financial documents, which consisted primarily of detailed tax returns for 2015-2020.

13. Although Ms. Delgado was eighty-years-old, she continued to earn substantial yearly income through pension benefits and social security earnings. This yearly income was reflected in her tax returns, however there was additional income earned through certain investments. SMB had multiple meetings and conversations with Ms. Delgado's family in order to ensure a proper understanding of each source of income.

14. SMB retained economic expert, Dr. John Swiger, Ph.D., to review Ms. Delgado's tax returns and provide a report analyzing the lost prospective net accumulations suffered by the Estate of Magaly Delgado. SMB worked to provide Dr. Swiger with all of the information he required in order to perform his thorough and well-supported analysis. SMB had numerous conversations and meetings with Dr. Swiger regarding his analysis and report for the Estate of Magaly Delgado, and SMB provided input and guidance throughout the report drafting and finalizing process.

15. Ultimately, Dr. Swiger provided a well-supported calculation of the lost prospective net accumulations suffered and his expert report was included with the Claim Form submitted on behalf of the Estate of Magaly Delgado.

**B. Estate of Benny Weisz**

16. The economic loss suffered by the Estate of Benny Weisz was challenging to determine due to the fact that Benny was only just beginning his career and did not have a history of proven earnings.

17. SMB devoted significant time to working with Benny's family and performing independent research to demonstrate that Benny was a remarkably gifted academic and religious student who was well positioned for a successful career.

18. SMB retained Dr. Swiger to review Benny's academic history and his career plans that were already underway and perform a thorough and reliable economic analysis based upon statistics published by the United States government. SMB had multiple conversations and meetings with Dr. Swiger to provide SMB's input throughout the report drafting process in order to hone in on a reasonable and supportable estimation of the lost prospective net accumulations suffered by the Estate of Benny Weisz and to present that figure to the Court.

19. Ultimately, Dr. Swiger provided a well-supported calculation of the lost prospective net accumulations suffered and his expert report was included with the Claim Form submitted on behalf of the Estate of Benny Weisz.

**C. Estate of Harold Rosenberg**

20. Harold Rosenberg was a significant wage earner with a complex earnings history.

21. SMB worked diligently to collect and analyze voluminous financial documents spanning decades over the course of Harold's career as a successful financial asset manager. SMB compiled a comprehensive history of Harold's employment history and earnings, and spent considerable time speaking with Harold's family, friends, and business associates to develop an understanding of his future plans for work so that a reasonable and supportable economic analysis could be performed.

22. SMB retained Dr. Swiger to perform the economic loss analysis and provided Dr. Swiger with all of the documents and information compiled during SMB's research efforts. SMB worked closely with Dr. Swiger and provided considerable input throughout the process.

23. Dr. Swiger closely examined Mr. Rosenberg's earning history and his prospects for future earnings and produced a report which provides a reasonable and well supported analysis of the economic loss suffered by the Estate of Harold Rosenberg. Dr. Swiger's expert report was included with the Claim Form submitted on behalf of the Estate of Harold Rosenberg.

**D. Richard Roviroso and Maria Roviroso**

24. The economic loss suffered by the Estate of Richard Roviroso as a result of his death was an incredibly complex analysis. As the Court is aware, Richard was a stalwart of the South Florida shipping and stevedoring industries. He was integrally involved in operating numerous successful businesses that his family had founded and run for generations. Richard brought unique and irreplaceable entrepreneurial skills and abilities to the companies he ran, and an analysis of the economic impact of his death stretched far beyond mere calculation of his W-2 earnings and required a tailored examination of the value that Richard Roviroso brought to his companies.

25. To examine the value Richard brought to his companies, SMB worked closely with Richard's daughters and executives from the various companies Richard was involved in. For each of the many companies, SMB had to determine the purpose of each company, Richard's role, his ownership share, and a history of each company's distributions. SMB also collected voluminous commercially sensitive documents for each of the various companies Richard oversaw and developed a detailed history of each company's growth and earnings history to establish that the companies thrived under Richard's control and influence. SMB committed substantial time and resources to collecting, analyzing and cataloguing these documents and developing a comprehensive understanding of Richard's prominent role at these companies and in the South Florida shipping industry. SMB devoted significant time to working with the Roviroso family to ensure that all relevant documents were collected and all relevant information was acquired concerning the family companies and Richard's role therein.

26. SMB retained Dr. Swiger to perform the complex analysis of the economic loss suffered by Richard Roviroso's and Maria Roviroso's survivors. After providing Dr. Swiger with



the voluminous and comprehensive financial documents from Richard's various companies, SMB spent many hours over phone calls and zoom meetings with Dr. Swiger discussing and working through the issues. SMB and Dr. Swiger were faced with determining how to best quantify the immense value that Richard brought to his companies and the economic loss suffered by the companies, and thus his family, as a result of his death. SMB worked incredibly closely with Dr. Swiger throughout the report drafting process to ensure that the Court was presented with a reasonable and well supported analysis of the tremendous economic impact suffered by the Roviroso family.

27. Ultimately, Dr. Swiger produced an expert report that provides a reasonable and very well supported estimate of the lost prospective net accumulations suffered by the Roviroso family. This expert report was included with the Claim Form submitted on behalf of the Estate of Richard Roviroso.

## **II. SMB's Efforts Related to Clients Non-Economic Loss.**

28. Like all victims of this horrific tragedy, the mental pain and suffering and grief endured by SMB's clients is immense. Adequately encapsulating this non-economic loss and presenting it to the Court through the Claims Process required a tremendous commitment of time and resources.

29. SMB worked with their clients who elected to have their claims heard by the Court to write a brief narrative summarizing their relationship with the decedent, the impact the death has had on their life, and their unfathomable mental pain, suffering, and grief. These narratives were written by SMB's clients, but SMB was by their clients' sides throughout the entire process, and provided guidance and explanation concerning the issues that should be addressed through these narratives.

30. SMB created a Damages Memorandum for each client that was submitted as part of their respective claims packages and which was presented to the Court in advance of each Claim Hearing. SMB devoted considerable time to researching each decedent, speaking with family members, and writing each Damages Memorandum to provide the Court with information

concerning the lives that were lost in this tragedy and to set the table for the Claim Hearings, where the Court would hear from SMB's clients directly.

31. Many of SMB's clients also elected to have SMB create a documentary video concerning the person who was killed, their life and family, and the emotional suffering that their survivors are enduring. These damages documentary videos were invaluable in helping provide the Court with information on each decedent beyond what was available in various news publications and an understanding of the person that was lost for each Claim Hearing.

32. *SMB is one of the only firms in the country that employs its own full-time film professional who is dedicated to making these videos.* SMB's film professional, Israel Vasquez, committed substantial time and resources to interviewing SMB's clients and directing and producing each of the damages documentaries the Court saw during SMB's clients' Claim Hearings. The time committed by Mr. Vasquez is included in SMB's hours submission, as he is an SMB employee. Time spent by contracted film editors and lighting professionals is included with SMB's cost submission.

33. Prior to the videos, SMB attorneys spent time preparing clients for the videos. Once Mr. Vasquez and his team shot and created the videos, SMB's attorneys also spent considerable time discussing the videos with Mr. Vasquez and providing him with input and guidance and edits.

34. SMB expended significant time and resources to develop each client's damages case and to provide the Court with as much information as possible concerning both the economic and non-economic damages suffered by each claimant.

35. SMB also had numerous calls, zoom meetings, and in-person meetings with each client prior to their respective Claim Hearings to prepare them for the hearing and to provide guidance on the areas that were likely to be discussed.

36. 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.

37. The number of hours spent on these matters by my firm from June 1, 2022, until August 25, 2022, is 491.7, which results in a lodestar of \$310,752. 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 is **\$310,752**. 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.

38. Additionally, SMB 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.

39. 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 SMB. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

40. The time and work discussed in this petition is separate from SMB's contribution which was discussed at length in my Declaration in Support of Motion for Approval of Payment of Attorneys' Fees and Litigation Expenses, filed as Exhibit 11 to Class Counsel's unified Fee Application filed June 12, 2022. As laid out in that Declaration, the work of SMB was critical to obtaining the tremendous result for the victims of this tragedy. SMB will appear at the hearing on

the Motions for Attorney's Fees scheduled for August 29, 2022 prepared to answer any questions the Court may have concerning SMB's contribution in this regard.

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

Executed this 25th day of August, 2022 at Miami, Florida.

A handwritten signature in blue ink, appearing to read "J.P. Goodman", written over a horizontal line.

JEFFREY P. GOODMAN, ESQ.

# COMPOSITE EXHIBIT A

## IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION

### TIME REPORT

FIRM NAME: Saltz Mongeluzzi & Bendesky P.C.

REPORTING PERIOD: June 1, 2022 through August 26, 2022

Name (Status: P, A, Counsel, Para, Clerk)	Total Hours	Hourly Rate	Total Lodestar
Robert J. Mongeluzzi (P)	12	\$1000	\$12,000.00
Jeffrey P. Goodman (P)	155	\$965	\$149,575.00
Samuel B. Dordick (A)	149.7	\$610	\$91,317.00
Rayna McCarthy (A)	37.3	\$450	\$16,785.00
Israel Vasquez (Film Professional)	133	\$300	\$39,900.00
Kate Carey (Para)	4.7	\$250	1,175.00
<b>TOTALS</b>	<b>491.7</b>		<b>\$310,752.00</b>