

**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
_____ /

CLASS COUNSEL’S MOTION FOR THE REIMBURSEMENT OF COSTS

Undersigned appointed Class Counsel move for an order directing payment from the Receivership Estate to reimburse Class Counsel for costs advanced or incurred to achieve the settlement in this case and/or in the representation of class members in the claims process, and state as follows:

The Court ordered on August 30, 2022, that certain “supplemental” fees and costs submitted by Class Counsel appointed to the Plaintiffs’ Steering Committee (“PSC”) and retained non-PSC counsel be paid from the Receivership Estate (“Supplemental Fee Order”). This Supplemental Fee Order did not, however, reimburse PSC Counsel for all their common benefit and/or client benefit costs. Because this Court previously ordered that Class Counsel’s reasonable costs would be reimbursed,¹ and these outstanding costs were reasonably incurred by PSC firms and timely submitted to the Court, they should now be ordered to be paid from the Receivership Estate.

¹ This Court ordered at the outset of this case that Plaintiffs’ Counsel’s reasonable expenses would be eligible for reimbursement from the Association’s Receivership Estate. *See* July 16, 2021, Order (“Counsel will also be reimbursed all out of pocket expenses from the receivership estate.”); *see also* Aug. 29, 2021, Case Mgmt. Order. Additionally, Article 13 of the June Settlement Agreement, entitles Class Counsel to recover fees and costs from the Settlement Fund.

Common Benefit Costs

On June 12, 2022, Class Counsel filed a Motion for Final Approval of Class Settlement and Application for Award of Attorneys' Fees, Costs, and Expenses (the "June Fee Application"), in which they asked the Court to award fees and costs. The costs incurred or advanced by each PSC firm were detailed in "Exhibit B" to the declarations of the PSC members attached to the June Fee Application.

As set forth in that fee application, these costs are of the type reasonably incurred in class actions and were necessarily advanced by counsel in furtherance of the prosecution of the case and the settlement. These outstanding common benefit costs are as follows:

Brad Sohn Law	\$2,641.24
Goldberg & Rosen, P.A.	\$5,460.00
Grossman Roth Yaffa Cohen, P.A.	\$11,344.87
Heise Suarez Melville	\$630.25
Kozyak Tropin & Throckmorton	\$35,614.77
LippSmith LLP	\$2,349.30
Merlin Law Group	\$2,605.11
Moskowitz Law Firm PLLC	\$24,547.97
Pita Weber and Del Prado, PLLC	\$1,520.27
Podhurst Orseck, P.A.	\$53,015.97
Saltz Mongeluzzi & Bendesky	\$27,272.11

The relevant cost itemizations for these PSC firms, submitted on June 12, 2022, are attached here again as composite **Exhibit A**.

Client Benefit Costs

One PSC firm, Grossman Roth Yaffa Cohen, P.A., also seeks reimbursement for client benefit costs incurred in connection with the claims hearings (i.e. videographer servicers, expert fees, etc.), which were itemized and timely submitted to the Court *in camera* on August 26, 2022, but were not reimbursed by the Court's Supplemental Fee Order. It appears that certain client costs were reimbursed as a part of that Fee Order, but those of this firm were not, which total

\$218,362.50.² Grossman Roth’s cost-ledgers for each of their clients are being re-submitted contemporaneously herewith *in camera*, for the Court’s review.

WHEREFORE, Class Counsel respectfully requests that the Court enter an order directing that the above detailed costs advanced by Class Counsel and timely submitted to the Court, be reimbursed to Class Counsel from the Receivership Estate.

Respectfully submitted,

/s/ Harley S. Tropin

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² Counsel recognizes that the Court had previously ordered on June 27, 2022, that “Costs spent in furtherance of an individual claim (i.e. costs for medical records, demonstratives, expert costs, etc.) shall be borne by the individual claimant,” but that the Supplemental Fee Order, entered August 30, 2022, awarded client costs from the Receivership Estate.

Composite
EXHIBIT A

EXHIBIT B

IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION

EXPENSES REPORT

FIRM NAME: Brad Sohn Law PLLC

REPORTING PERIOD: Inception through May 31, 2022

DESCRIPTION	EXPENSES	CUMULATIVE EXPENSES
Online research	Written off	
Process Server	\$77.62	
Filing Fee	\$415.04	
Postage/Copies	\$47.70	
Meals	\$376.40	
Parking / Transportation	\$1724.48	
TOTAL EXPENSES		\$2641.24

EXHIBIT B

IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION

EXPENSES REPORT

FIRM NAME: Goldberg & Rosen, P.A.

REPORTING PERIOD: Inception through June 2022

DESCRIPTION	EXPENSES	CUMULATIVE EXPENSES
Champion Legal Presentation fees	\$5,460.00	
TOTAL EXPENSES	\$5,460.00	

EXHIBIT B

IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION

EXPENSES REPORT

FIRM NAME: Grossman Roth Yaffa Cohen, P.A.

REPORTING PERIOD: Inception through May 31, 2022

DESCRIPTION	EXPENSES	CUMULATIVE EXPENSES
Online research (Westlaw, Lexis/Nexis & Pacer)	\$8,324.61	
Process Server	\$0.00	
Filing Fee	\$0.00	
Delivery services/messengers (FedEx and In-House Courier)	\$258.61	
Local travel	\$0.00	
Out-of-town travel	\$0.00	
Meals	\$1,129.67	
Deposition transcripts	\$0.00	
Experts	\$500.00	
Litigation Fund	40.00	
Parking	\$90.83	
Transportation	\$0.00	
Copying, Printing & Scanning (In-House)	\$1,095.20	
Postage	\$36.78	
TOTAL EXPENSES	\$11,344.87	

EXHIBIT B

All Expenses
Heise Suarez Melville, P.A.

Professional = All (Active Only)
 Group By Professional Group
 Client - Matter = Multiple (Active Only)
 Task Code = All
 Expense Code = All
 View = Original
 Approval Status = All
 Selected Expenses = All
 From Earliest To Latest

Entered	Status	Approval	BillableType	Expense	Professional	Price	Mark Up %	Qty	Amount
<u>Champlain Towers</u>									
<u>Common Benefit</u>									
10-19-2021	Billed		Billable		Gomez, Alexis	0.00	0.00	0.00	476.25
	Invoice: INV2037899 Drezner Transcript								
								Matter Total	476.25
<u>Lopez Moreira</u>									
11-02-2021	Billed		Billable	E100 - Expenses	Romanach, Alex	0.00	0.00	0.00	100.00
	Invoice ID 2021732706 - Fees for Certified Death Certificates								
05-24-2022	Billed		Billable	E108 - Postage	Gomez, Alexis	0.00	0.00	0.00	54.00
	Fedex Invoice #7-766-37842 E108 - Postage								
								Matter Total	154.00
								Client Total	630.25
								Grand Total	630.25

EXHIBIT B

IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION

EXPENSES REPORT

FIRM NAME: Kozyak Tropin & Throckmorton LLP

REPORTING PERIOD: Inception through May 31, 2022

DESCRIPTION	EXPENSES	CUMULATIVE EXPENSES
Online research		
Process Server	\$132.80	
Filing Fee		
Delivery services/messengers	\$34.44	
Local travel		
Out-of-town travel		
Meals	\$148.68	
Deposition and hearing transcripts	\$17,203.64	
Experts	\$16,171.25	
Litigation Fund		
Parking		
Records Requests	\$551.77	
Long-distance calls	\$164.72	
Wi-fi	\$41.00	
Transportation	\$750.94	
Copying	\$215.53	
TOTAL EXPENSES	\$35,614.77	

LIPPSMITH LLP TIME AND EXPENSES THROUGH 06/03/2022

TABLE 6: LITIGATION EXPENSES

Categories of Costs	Amount	
Pro Hac Vice Fees	\$	750.00
Travel	\$	1,599.30
Total:	\$	2,349.30

EXHIBIT B

IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION

EXPENSES REPORT

FIRM NAME: Merlin Law Group, P.A.

REPORTING PERIOD: Inception through May 31, 2022

DESCRIPTION	EXPENSES	CUMULATIVE EXPENSES
Online research		
Process Server		
Filing Fee		
Delivery services/messengers		
Local travel		
Out-of-town travel		\$745.60
Meals		\$520.14
Deposition transcripts		
Experts		
Litigation Fund		
Parking		\$28.00
Transportation		\$64.47
Copying		\$1,246.90
TOTAL EXPENSES		\$2,605.11

EXHIBIT B
IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE
LITIGATION

EXPENSE REPORT

FIRM NAME: The Moskowitz Law Firm PLLC

REPORTING PERIOD: Inception through June 8, 2022

DESCRIPTION	EXPENSES	CUMULATIVE EXPENSES
Online research	19,763.30	
Process Server		
Filing Fee	506.39	
Delivery services/messengers		
Local travel	396.60	
Out-of-town travel	1,351.00	
Meals	543.58	
Deposition transcripts	1,628.10	
Experts		
Litigation Fund		
Parking		
Transportation		
Outside Printing	359.00	
TOTAL EXPENSES	24,547.97	

EXHIBIT B

IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION

EXPENSES REPORT

FIRM NAME: Pita Weber Del Prado

REPORTING PERIOD: Inception through May 31, 2022

DESCRIPTION	EXPENSES	CUMULATIVE EXPENSES
Online research	\$1,000.00	Reduced from \$2110
Process Server		
Filing Fee	\$425.39	
Delivery services/messengers	\$49.38	
Local travel		
Out-of-town travel		
Meals		
Deposition transcripts		
Experts	\$10,000.00	(reimbursed by Receiver)
Litigation Fund		
Parking	\$28.00	
Transportation		
911 Audios	\$17.50	
TOTAL EXPENSES	\$11,520.27	Note: \$1,520.27 outstanding

EXHIBIT B

IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION

EXPENSES REPORT

FIRM NAME: Podhurst Orseck, PA

REPORTING PERIOD: Inception through June 2, 2022

DESCRIPTION	EXPENSES
Online research	10,637.79
Process Server	3,264.00
Filing Fee	4,573.20
Delivery services	317.28
Out-of-town travel	1,221.24
Meals	307.27
Experts	29,209.41
A/V deposition services	2,437.50
Parking	54.14
Copying - InHouse	178.60
Outside Printing	422.40
Postage	370.24
Faxes	10.00
Medical Records	12.90
TOTAL EXPENSES	53,015.97

EXHIBIT B

IN RE: CHAMPLAIN TOWERS SOUTH COLLAPSE LITIGATION

EXPENSES REPORT

FIRM NAME: Saltz Mongeluzzi & Bendesky P.C.

REPORTING PERIOD: Inception through June 3, 2022

DESCRIPTION	EXPENSES	CUMULATIVE EXPENSES
Online research	N/A	N/A
Process Server	N/A	N/A
Filing Fee	\$415.04	\$415.04
Delivery services/messengers	N/A	N/A
Local travel	N/A	N/A
Out-of-town travel	\$26,857.07	\$27,272.11
Meals	N/A	N/A
Deposition transcripts	N/A	N/A
Experts	N/A	N/A
Litigation Fund	N/A	N/A
Parking	N/A	N/A
Transportation	N/A	N/A
Copying	N/A	N/A
TOTAL EXPENSES	\$27,272.11	\$27,272.11