

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

IN RE: CHAMPLAIN TOWERS SOUTH
COLLAPSE LITIGATION,

CLASS REPRESENTATION

CBL DIVISION

CASE NO: 2021-015089-CA-01

**JOINT MOTION FOR BRIEF EXTENSION OF DEADLINE FOR RESPONSES TO
THE RECEIVER'S MOTION TO CONFIRM COMPLIANCE WITH ARTICLE 3 OF
THE SETTLEMENT AGREEMENT IN CONTEMPLATION OF DISTRIBUTION**

Michael I. Goldberg (the "Receiver"),¹ the PSC, and the Settling Parties (collectively, the "Parties"), move pursuant to Rule 4 of the Complex Business Litigation Rules for a brief extension of the 5:00 p.m. EDT September 26, 2022, deadline for responses to the *Receiver's Motion to Confirm Compliance with Article 3 of the Settlement Agreement in Contemplation of Distribution* ("*Receiver's Motion*") set by the *Order on Receiver's Motion to Confirm Compliance with Article 3 of the Settlement Agreement in Contemplation of Distribution* ("*Order*"). The Parties have reached a tentative resolution of the issues raised by the *Receiver's Motion* which resolution, most important, would allow distributions of Monetary Awards to begin this week; however, confirming the agreement of every necessary Party is not possible in view of the Rosh Hashanah holiday, which runs from sundown on September 25, 2022, through sundown on September 27, 2022, and the approach of Hurricane Ian to the Tampa area. Accordingly, the Parties jointly request a brief extension of the deadline to noon EDT on September 28, 2022.

In further support of this motion, the Parties state as follows:

¹ Capitalized terms not defined herein are defined in the "In Re: Champlain Towers South Collapse Litigation Class Action Settlement Agreement" (the "Settlement Agreement"), finally approved by the Court on June 24, 2022. All references to "Article" or "Art." are to Articles of the Settlement Agreement.

1. The *Receiver's Motion* sought to address certain issues created by Article 3 of the Settlement Agreement that prevent distribution of Monetary Awards at this time. *See generally id.* The *Order* requires that “[a]ny party that objects to the relief sought by the Receiver shall file, and provide the Court via courtMap, their response on or before 5:00 pm September 26th, 2022.” *Id.* at ¶ 1.

2. The Parties fully recognize and respect that the Court further provided that “The Court will not, under any circumstance, extend this deadline.” *See id.* Accordingly, the Parties have worked diligently since the *Order* was issued and believe they have reached a resolution to resolve the primary impetus driving the *Receiver's Motion*, which is the need to fulfill the Court’s mandate that Monetary Awards be distributed as soon as is possible in accordance with the terms of the Settlement Agreement.

3. However, the Rosh Hashanah holiday – which runs from sundown on September 25, 2022, through sundown on September 27, 2022 – has resulted in the unavailability of several Parties and/or their counsel whose formal agreement to the tentative resolution is necessary.

4. In addition, the approach of Hurricane Ian to the Tampa area – which has led to the emergency closure of the state and federal courts in that area – has further impeded the ability of Parties and/or their counsel in that geographic area to address these issues at this time.

5. The Parties do not anticipate that any not available Party or its counsel will disagree with the tentative resolution achieved; however, their formal consent is required.

6. Accordingly, the Parties submit that a brief extension of the filing/courtMap upload deadline to noon EDT on September 28, 2022, is warranted.

7. A proposed order granting this Motion will be uploaded to courtMAP for the Court’s consideration.

WHEREFORE, for the reasons stated above, the Parties respectfully request that the Court grant this Motion, extend the deadline for any objections to the *Receiver's Motion* to noon EDT on September 28, 2022, and grant such additional relief that the Court deems just and appropriate.

Dated: September 26, 2022

Respectfully submitted,

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