

**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

**RECEIVER'S AMENDED MOTION FOR ENTRY OF AN ORDER
APPROVING DISTRIBUTION OF U.S. CURRENCY**

Michael I. Goldberg (the "Receiver"), pursuant to Rule 4 of the Complex Business Litigation Rules, files this Amended Motion For Entry of an Order Approving Distribution of U.S. Currency found at the collapse site to those specific victims who the Miami Dade Police Department has identified as the legal owners of specific currency and distributing the remaining "unidentifiable" cash on a *pro-rata* basis to all Champlain Tower South Victims ("Victims") on a per unit basis. In support of this Motion, the Receiver states as follows:

1. Following the tragic collapse of the Champlain Tower South ("the Property"), first responders recovered, among many other items, approximately \$813,369.00 in "paper" cash and \$1,460.40 in coins at the Property.¹ Initially, the Miami Dade Police Department identified \$363,390.00 of the "paper" cash and \$127.57 in coins to specific Victims because of the manner in which the currency was found (i.e., in wallets, purses, and other containers whose owner the police was easily able to identify).² However, upon further analysis, and after multiple

¹ These figures have been updated from the original motion based on corrected cash and coin reporting.

² As set forth in the Receiver's Motion of Sept. 23, 2021 on this issue, because the recovered cash was contaminated with or exposed to toxic materials (and in many cases had significantly deteriorated), the Receiver had to return the recovered cash to the United States Treasury, where it was destroyed. The

correspondence and meetings among the Receiver, Miami-Dade County and the Miami-Dade Police Department, it has been determined that \$158,540 of currency that was previously included in "identified" currency should not have been included in that category because the facts simply do not support the conclusion that the currency belongs to any particular individual (i.e.... the cash was not found in a wallet, purse or some other container whose owner could be easily identified, but was rather found in the rubble with no reliable identification). Therefore, only \$204,850 of currency is identifiable to a particular owner and \$609,519 should be treated as "unidentifiable" cash to be distributed along with the \$1,332.83 in "unidentifiable" coin currency 1/135th (\$4,517.42 per unit) to all unit owners or renters.

2. By Order dated March 30, 2023 (Filing # 170051368), the Honorable Judge Hanzman approved the distribution of the "unidentifiable" cash on a pro-rata basis. This Amended Motion simply seeks a new order recognizing that the amount of the "unidentifiable" cash has increased, and the amount of the "identifiable" cash has decreased by \$158,540 because the facts simply do not support the conclusion that the \$158,540 belongs to any particular person. Importantly, the parties who were previously identified as the owner of the identifiable cash that is now being deemed as "unidentifiable" were never notified that the currency was identified to them, and there is no reliable evidence whatsoever that can be presented in support of any particular claimant(s)' claim to the cash.

WHEREFORE, the Receiver respectfully requests that the Court enter an Order approving distribution of \$204,850 of "identifiable" cash and \$127.57 of "identifiable" coins to those Victims identified by the Miami Dade Police Department and the remaining \$609,851.83 in

Treasury then issued a check to the Receiver for the recovered amount. This exchange process took several months.

"unidentifiable" cash and coin currency on a *pro rata* basis to each of the 135 units at the Property, whether that be to surviving Victims or deceased Victims' estates and grant such other relief as is just and proper.

Date: July 24, 2023

Respectfully submitted,

/s/ Michael I. Goldberg

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 24, 2023, a copy of the foregoing was electronically filed with the Clerk of Court by using the Florida Courts E-Filing Portal and a copy of same was furnished to all counsel of record through the Florida Court's E-Filing Portal.

/s/ Michael I. Goldberg

Michael I. Goldberg, Esq.