

**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: Thomas J. Rebull

**In Re:**

**Champlain Towers South Collapse Litigation.**

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**RECEIVER'S MOTION FOR ORDER ON PERSONAL PROPERTY ITEMS**

Michael I. Goldberg (the "Receiver"), pursuant to Rule 4 of the Complex Business Litigation Rules, seeks entry of an Order: (1) authorizing Miami-Dade County to return claimed personal property items in accordance with the Receiver's recommendations discussed herein; (2) authorizing the Receiver to sell, donate and/or otherwise dispose of unclaimed personal property items and/or personal property items not retrieved within 60 days of the date of the Order on this motion; (3) authorizing the Receiver to dispose of religious items not capable of decontamination in accordance with the respective applicable religious customs and practices; and (4) setting a hearing on the two remaining personal property items which remain contested by at least two claimants. In support thereof, the Receiver states:

**BACKGROUND**

1. This case arises out of the tragic collapse of the Champlain Towers South Condominium located at 8777 Collins Avenue, Surfside, Florida 33154 ("Champlain Towers") on June 24, 2021.

2. At a hearing conducted on July 2, 2021, the Court ordered the appointment of Michael I. Goldberg as Receiver for the Champlain Towers South Condominium Association, Inc.

Disputed Claims for Recovered Personal Property Items

3. By way of brief background as to the personal property claims, following the collapse of the Champlain Towers, Miami-Dade County Police and other authorities (collectively “MDPD”) recovered and decontaminated close to 10,000 personal property items from the rubble.

4. If the personal property and a form of identification were contained within an enclosed receptacle, the personal property was decontaminated and returned to the individual listed on the identification as per Court Order.

5. With respect to the approximately 7,000 recovered personal property items for which ownership could not be facially determined, claims processes and protocols were established per Court Orders.

6. Through an arduous, multi-year process, the Receiver and his team worked diligently with the goal of returning as many items as possible to the rightful owners. As part of that process, the Receiver and his team created a website containing photos of all of the recovered items and created an online claims process by which the victims could view all the recovered property, claim their items and present evidence in support of their claims. Over the span of the last few years, the Receiver and his team have meticulously examined the items, reviewed the evidence submitted, spoken with the claimants on numerous occasions, tried to trace items through serial numbers where possible, conferred with jewelry stores, art galleries and/or manufacturers where applicable, among other investigative undertakings, in an effort to get as many of the recovered items as possible to their rightful owners. The Receiver then prepared reports and recommendations, reviewed and analyzed any and all objections presented by claimants, reviewed any and all additional evidence presented, spoke to the claimants again where warranted and again worked to determine the rightful owner, if possible.

7. The Receiver undertook two claims processes based on when MDPD decontaminated, photographed and catalogued the items. The first claims process resulted in 2,592 items that were uncontested, 810 items that had competing claims, with the remainder of the items being unclaimed. The second claims process resulted in 80 uncontested items, and 12 items with competing claims, with the remainder being unclaimed.

8. To the extent only one individual claimed an item through the claims processes, the Court authorized release of such items (totaling 2,592 in the first claims process and 80 in the second claims process). Those items have been available for pick up by the claimants at MDPD.

9. As for those items where more than one individual claimed the same item, a protocol was established whereby the claimants were provided an opportunity to submit to the Receiver evidence of ownership, documentation, photographs and/or other proof the items claimed belonged to them.

**First Claims Process – 810 Personal Property Items with Competing Claims Items**

10. At the close of the first claims process, there were 810 items with competing claims, many of which had three or more claimants claiming ownership. As to each of the 810 items, the Receiver reviewed all the evidence submitted by each claimant for every item and prepared reports and recommendations as to whom the items should be released, if possible. In many instances, no determination could be made (due to lack of evidence or competing circumstantial evidence), and the Receiver issued reports and recommendations indicating that no determination was being made. Once the reports and recommendations were issued, the claimants had an opportunity to submit objections to the Receiver. The Receiver then considered the objections and has addressed each of them.

**Second Claims Process – 12 Personal Property Items With Competing Claims**

11. As for the second claims process, containing an additional 897 items, 80 items were uncontested and have been released to claimants. Of the 897 items in the second claims process, 805 items were not claimed by anyone. Twelve items had competing claims. As to each of the 12 disputed items, the Receiver reviewed all the evidence submitted by each claimant for every item and prepared reports and recommendations as to whom the items should be released, if possible. All twelve were no determination due to a lack of evidence or competing circumstantial evidence, and the Receiver issued reports and recommendations indicating that no determination was being made. Once the reports and recommendations were issued, the claimants had an opportunity to submit objections to the Receiver. The Receiver then considered the objections and has addressed each of them.<sup>1</sup>

**Disposition of Remaining Personal Property Items**

12. At the conclusion of the two claims processes, including the expiration of the objections periods, there were 31 items where there had been multiple objections. After reviewing the objections, any additional evidence and speaking with many of the claimants, the Receiver has been able to resolve the objections on all but two of those items and make a determination as to which claimant those items should be released. The 29 items which the Receiver recommends be released to particular claimants are listed by Claimant ID number and Item ID [File Number] number on attached Exhibit A.

13. The Receiver respectfully requests this Court authorize Miami-Dade County to release all items identified on Exhibit A.

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<sup>1</sup> These items consist mostly of “general” items such as cutlery and other miscellaneous pieces, and also consisted of nearly 200 soft religious items that underwent a special decontamination process in an effort to return them to the victims.

14. As for Items 7651-131-A and CW-079-C, the Receiver requests that the Court set a hearing to adjudicate the competing claims.

15. As for any items that have been released to claimants but not retrieved within 60 days from the date of the Order on this motion, such items will be deemed abandoned.

16. To the extent there are any unclaimed items remaining with MDPD more than 60 days after the date of the Order on this motion, the Receiver respectfully requests, pursuant to the prior orders and protocol entered, that he be authorized, at his discretion, to: (1) attempt to sell any items that he determines have resale value, the sales proceeds of which will be distributed to class members on a *pro rata* basis; (2) donate items to charity, including the Surfside memorial; and (3) dispose of any remaining items that do not fall into categories (1) or (2). Any recovered religious items that were not capable of decontamination will be disposed of in accordance with the respective applicable religious customs and practices.

17. Neither the Receiver nor the County warrants the safety of the personal property items and/or that they are free of all toxins despite the County's completion of the decontamination process. Accordingly, it is requested that the Court's order approving the return of personal property provide that an individual's acceptance of the property shall constitute a waiver of any and all claims against the County and the Receiver with respect to the personal property, including but not limited to, any claims or damages relating to toxins or other hazardous materials remaining on the personal property.

18. The County and the Receiver also request that the Court's order approving the release of property items provide that the Receiver and the County are not responsible for the turnover of personal property inadvertently to the wrong person so long as they followed the procedures set forth in the applicable Court Orders.

WHEREFORE the Receiver respectfully requests that the Court grant this Motion, thereby authorizing the County to return the items listed in Exhibit A to the respective Claimants, set a date for a hearing on the two remaining objections and permit the Receiver to handle the remaining items as set forth in Paragraph 16. The Receiver respectfully requests this Court grant any other and further relief it deems just and proper.

Date: July 8, 2025

Respectfully submitted,

/s/ Michael I. Goldberg  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on July 8, 2025, 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.

## EXHIBIT "A"

<b>Receiver Item No.</b>	<b>MDPD Item No.</b>	<b>Item Awarded To</b>
3	7651-002-A	Claimant 64
6	7651-009-A	Claimant 64
8	7651-012-A	Claimant 64
10	7651-025-A	Claimant 64
12	7651-031-A	Claimant 64
17	7651-041-A	Claimant 64
18	7651-043-A	Claimant 64
19	7651-045-A	Claimant 64
41	7651-115-A	Claimant 65
50	7651-153-A	Claimant 51
156	AJ-135-C	Claimant 51
159	AJ-154-C	Claimant 50
179	AJ-323-C	Claimant 50
252	BL-397-C	Claimant 41
257	BL-523-C	Claimant 41
544	DN-142-C	Claimant 17
557	DX-009-C	Claimant 17
559	DX-019-C	Claimant 17
561	DX-024-C	Claimant 17
563	DX-026-C	Claimant 17
567	DX-043-C	Claimant 17
569	DX-068-C	Claimant 17
580	DZ-014-C	Claimant 17
593	DZ-096-C	Claimant 17
594	DZ-097-C	Claimant 51
596	DZ-105-C	Claimant 17
597	DZ-106-C	Claimant 17
652	FT-030-A	Claimant 41
667	FV-004-C	Claimant 71