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Fla. Court Names Lead Attys In Surfside Condo Collapse Suits

By **Carolina Bolado**

Law360, Miami (July 16, 2021, 4:27 PM EDT) -- Attorneys from Kozyak Tropin Throckmorton, Podhurst Orseck PA, Grossman Roth Yaffa Cohen PA and The Moskowitz Law Firm will oversee the economic loss, wrongful death and personal injury claims arising from the Surfside condominium collapse under an attorney leadership structure approved by a Florida judge Friday.

At a hearing in Miami, Judge Michael Hanzman signed off on the proposal by Kozyak Tropin partner Harley Tropin, who had been tasked by the court with putting together a team that would lead two proposed classes of victims.

Adam Moskowitz and Kozyak Tropin's Javier Lopez are the lead lawyers for the proposed class of victims who lost property when the 12-story Champlain Towers South building collapsed on June 24. Podhurst Orseck's Ricardo Martinez-Cid will lead the subclass of plaintiffs who also have personal injury or wrongful death claims, with Curtis Miner of Colson Hicks Eidson and Stuart Grossman of Grossman Roth Yaffa Cohen as liaison counsel.

Tropin told the court that there had been no objections filed to his proposal, which the judge noted was rare in a complicated case like this with attorneys vying for top posts.

"To describe the job as herding cats would be an understatement," Judge Hanzman of the Eleventh Judicial Circuit Court said. "Often it's contested. I cannot tell you all how appreciative this court is to be relieved of this undertaking."

In addition to the lead attorneys, MaryBeth LippSmith of LippSmith LLP, John Ruiz of MSP Recovery Law Firm and Brad Sohn of Brad Sohn Law are on a steering committee for economic loss plaintiffs.

John Scarola of Searcy Denney Scarola Barnhart & Shipley PA, Robert Mongeluzzi of Saltz Mongeluzzi & Bendesky PC, Shannon del Prado of Pita Weber Del Prado, Gonzalo Dorta of Dorta Law, Judd Rosen of Goldberg & Rosen PA, Luis Suarez of Heise Suarez Melville PA, Jorge Silva of Silva & Silva PA and Willie Gary of Willie Gary Law Firm are on a steering committee for wrongful death and personal injury plaintiffs.

Tropin intends to oversee and coordinate attorneys from both tracks of the litigation, along with Rachel Furst of Grossman Roth Yaffa Cohen. But at the hearing, Michael Thomas of Greenberg Traurig LLP, who represents the developers of the newly built residential tower next door to the Champlain Towers South site, said his clients are investigating a potential conflict involving Tropin, who did some work for a related entity in the past.

Judge Hanzman gave Greenberg Traurig 10 days to complete the investigation and file a motion, if one is necessary. Tropin told Law360 that he is confident once the attorneys look into the situation, they will find no conflict.

The partial collapse of the 12-story residential building, the cause of which is still undetermined, destroyed 55 of its 136 units and rendered the rest uninhabitable. As of Friday afternoon, the death toll stood at 97, with several others still missing.

At the hearing Friday, Michael Goldberg of Akerman LLP, who is acting as the receiver for the condominium association, told the court that Great American Insurance Co. has agreed to tender its

\$31 million property insurance policy limit, bringing the funds collected for victims to approximately \$50 million so far, after tenders from other insurers.

The other primary source of funds is likely to come from a sale of the building site, which Judge Hanzman said earlier this week would move forward quickly.

At the hearing on Friday, Oren Cytrynbaum, who lived in and owned unit 905 at Champlain Towers South, pitched an idea to have a group of survivors redevelop the site themselves, which would allow them to reap what could potentially be a several hundred million dollars in profits. Judge Hanzman, however, pointed out that a significant percentage of owners perished in the collapse, and their loved ones will need to be compensated upfront.

He called the proposal a "Herculean undertaking" and a "long shot at best," but urged any developers who might be interested in partnering with survivors to come forward and put together a proposal.

"There is no viable option that will not be thoroughly vetted and considered," Judge Hanzman said. "There will be no hasty decisions made with regard to this asset."

Goldberg, the receiver, said he had met recently with a number of the surviving unit owners and said there is a "large contingent" who want to rebuild.

"The feeling I got was that this was their home," Goldberg said. "I informed that group that they need to come up with a viable plan that needs to account for fair market value compensation of those who don't want to rebuild."

Goldberg also told the court that attorney Manuel Kadre and lobbyist Rodney Barreto have offered their services pro bono to try to raise money from government sources for a memorial to the victims at the site. And Michael Fay of real estate company Avison Young has agreed to help the receiver market and set up a potential sale of the site, Goldberg said.

Goldberg is represented by Paul Singerman and Jordi Guso of Berger Singerman LLP.

The plaintiffs are represented by Harley Tropin and Javier Lopez of Kozyak Tropin Throckmorton, Ricardo Martinez-Cid of Podhurst Orseck PA, Adam Moskowitz of The Moskowitz Law Firm, MaryBeth LippSmith of LippSmith LLP, John Ruiz of MSP Recovery Law Firm, Brad Sohn of Brad Sohn Law, John Scarola of Searcy Denney Scarola Barnhart & Shipley PA, Robert Mongeluzzi of Saltz Mongeluzzi & Bendesky PC, Shannon Del Prado of Pita Weber Del Prado, Gonzalo Dorta of Dorta Law, Judd Rosen of Goldberg & Rosen PA, Luis Suarez of Heise Suarez Melville PA, Jorge Silva of Silva & Silva PA and Willie Gary of Willie Gary Law Firm.

The case is In re: Champlain Towers South Collapse Litigation, case number 2021-015089-CA, in the Eleventh Judicial Circuit Court of Florida.

--Editing by Jill Coffey.

Update: This story has been updated to include lead counsel added late Friday in an updated order.