

With legal acumen and empathy – and record speed – a team led by a UF law alum resolved the staggeringly complex class action lawsuit that resulted from the Surfside condominium collapse in one year.

Court of Compassion

NATALIE VAN HOOSE (BA '06)

On June 24, 2021, around 1:22 a.m., tragedy struck the beachside town of Surfside, Florida. Two-thirds of the Champlain Towers South building plummeted to the ground in seconds, killing 98 people and leaving 135 unit owners homeless. It was the third-deadliest construction failure in U.S. history.

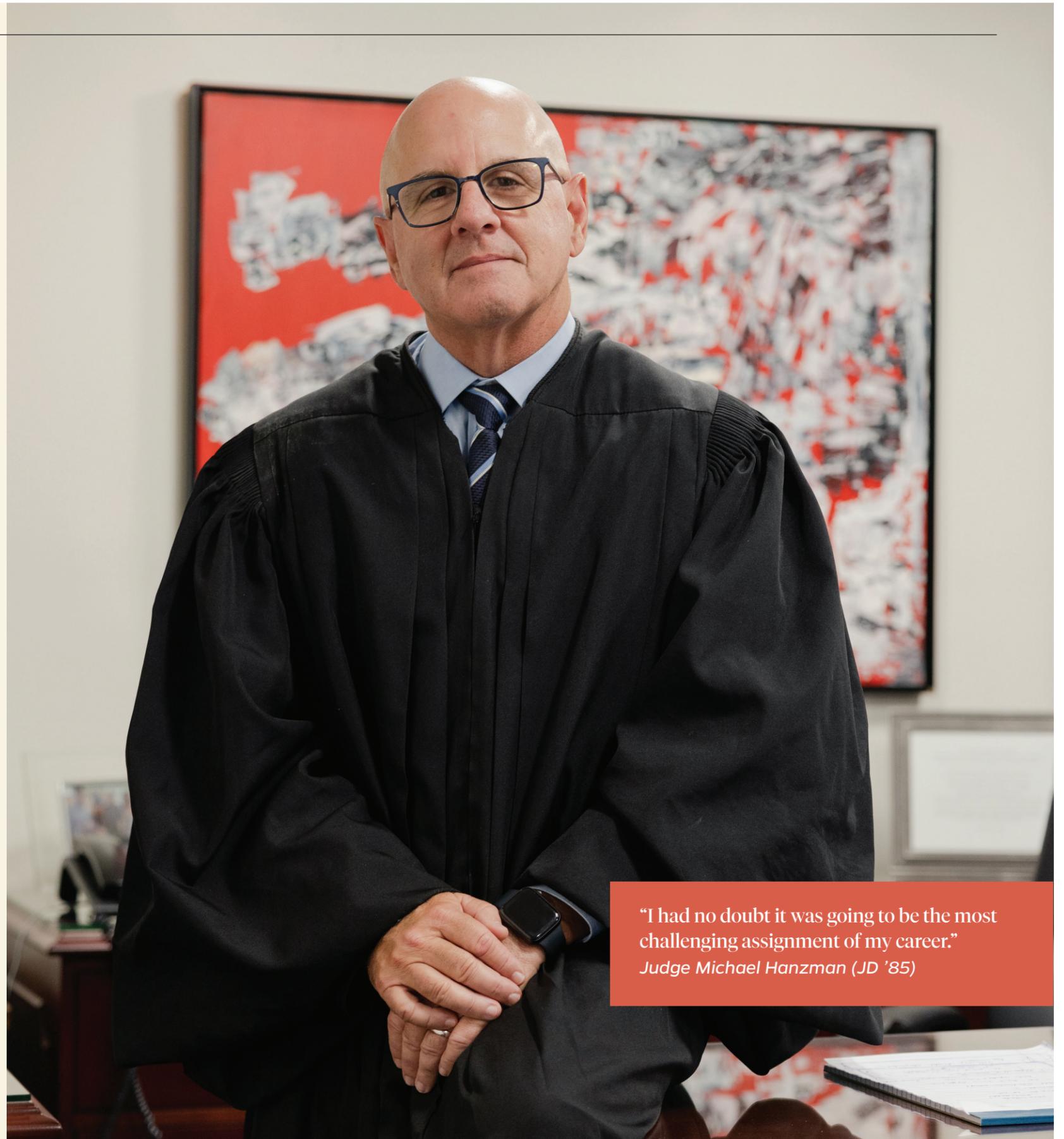
In the aftermath, a team of Florida judges and lawyers dedicated themselves to a single goal: to render justice as swiftly as possible to survivors and families of the victims. They won a \$1.1 billion settlement in less than a year and advanced a model for future cases.

The judge and 'the Black Swan'

Days after the Surfside collapse, a class action lawsuit was filed on behalf of the victims, residents and condo owners. The suit fell to the oversight of Judge Michael Hanzman (JD '85) in the Miami-Dade County Circuit Court. Judge Hanzman's legal career had been diverse and rewarding; before joining the bench, he was a private litigator for more than 20 years. He relished the challenge of pressing into new branches of the law and had worked in criminal law, courts of appeal and dependency court, where he presided over cases of abandoned, abused and neglected children.

The Surfside case would be unlike anything he had ever faced. It was a massive piece of litigation. Encompassing 98 wrongful death lawsuits and more than 100 property loss suits, it would be procedurally and substantively complex, emotionally charged and public. Judge Hanzman would come to think of it as "the Black Swan."

"I had no doubt it was going to be the most challenging assignment of my career," he said.



"I had no doubt it was going to be the most challenging assignment of my career."
Judge Michael Hanzman (JD '85)



“I was captivated by whether we make the system work the way it should. I had a very profound sense of duty that I had to try.”
Bruce Greer (BA '70)



‘There was no playbook’

Hanzman made an unusual decision at the outset: to settle the case in a year. It was a formidable goal. The only mass tort cases in the history of the U.S. legal system that bore a resemblance to a tragedy of this magnitude – 9/11, school shootings, bridge collapses – typically took five to 10 years to resolve.

The proposed timeline was the only reason Bruce Greer (BA '70) agreed to mediate the complex litigation process.

Greer had retired from law to focus on his role as president of Fairchild Tropical Botanic Garden and initially rebuffed Hanzman's requests to come aboard, convinced the case would be too painful. But the judge persisted. He knew Greer had the ability to earn trust and respect and move people toward compromise.

“It was a very delicate task that required a nuanced hand,” Hanzman said. “There was nobody else that I thought would have any chance of getting this case resolved.”

“I felt that as painful as it was going to be, these families deserved to be to be heard.”

Judge Michael Hanzman (JD '85)



“Buildings don't collapse every day. There was no playbook.”
Rachel Furst (JD '07)

Said Greer: “Justice is a mill that grinds on for years and years for all the wrong reasons. No one gets the result they're entitled to.

“I was captivated by whether we make the system work the way it should. I had a very profound sense of duty that I had to try.”

Judge Hanzman also appointed Rachel Furst (JD '07) as co-lead counsel to oversee a team of 15 law firms representing all of the plaintiffs. Her former UF Levin College of Law classmate Michael Thomas (JD '05) served as counsel for several key defendants.

Furst, now a partner with Maderal Byrne and Furst, described the case as “extremely challenging.” There was no single cause for the building's fall: Design flaws dating back to the tower's original construction, inadequate structural support, delayed repairs, environmental damage and destabilization caused by nearby construction all contributed.

“Buildings don't collapse every day,” Furst said. “There was no playbook. There were no obvious sources of recovery. Liability was not immediately clear. We were not optimistic that we could resolve the case successfully in a year.”

As Furst and her co-lead, Harley Tropin, pursued claims against 30 targets, Greer used his prior experience in complex commercial litigation to predict the case's likeliest outcomes and to steer litigants toward those ends. Over an estimated 350 Zoom meetings and phone calls, he would gauge each party's

willingness to accept a result. He described the mediation process as a giant Rubik's Cube – two pieces would align, only for another to fall out of place.

“I believed that if I could finish this under Judge Hanzman's timeframe, people could, in some way, put their lives back together,” Greer said.

Down to the wire

When the day of Hanzman's appointed deadline arrived, Greer was entangled in difficult negotiations with an insurance company based in Europe.

“It was hanging in the balance on the last day,” he said. Shortly before the 1 p.m. deadline, the company settled. Greer, watching the subsequent court hearing on Zoom, sat back and took a deep breath. The litigation process was over. Together, 132 attorneys had worked more than 34,000 hours on the lawsuits.

Hanzman approved the \$1.1 billion settlement on June 23, 2022, one day before the first-year anniversary of the collapse.

Five weeks of funerals

A final step remained: dividing the settlement among plaintiffs. Rather than appointing a special master or using a formula to allocate the funds, Judge Hanzman chose to offer each of the plaintiffs a personal court hearing. For many, this was a moment to share about the lives of loved ones lost in the collapse.

“I did not think that their award should be based upon a review of a cold, stale written record, or formulas or grids,” Judge Hanzman said. “I felt that as painful as it was going to be, these families deserved to be heard.”

To assist, Judge Hanzman recruited his longtime friend and veteran of the Miami-Dade County Circuit Court, Judge Jonathan Colby (JD '83). Judge Colby, then in retirement, brought considerable experience in personal injury and wrongful death law. But Hanzman also knew he could not endure the heart-wrenching process without his friend alongside him.

Since their days as young lawyers in a crime-ridden Miami, the two men had talked about how the law could work – not as “justice in a box,” but as personalized justice, Colby said. This was their chance to put that philosophy into practice.



Judge Jonathan Colby came out of retirement to assist with the case. He and Judge Hanzman had talked about how the law could work – not as “justice in a box,” but as personalized justice, and Colby thought this was their chance to advance that model.

“We explained to the parties that this was going to operate more like a family,” Colby said. “We would hear facts and follow the law to provide the only justice that we could, which would be compensation for their loss and true compassion from Judge Hanzman and me.”

Bailiffs distributed Kleenex boxes throughout the courtroom each morning and refilled them at lunchtime. The judges concluded each hearing by stepping down from

“We would think, how could the next day be even sadder?”

Jonathan Colby (JD '83)

the bench and embracing the bereft. Colby would look over at his friend to see tears rolling down his cheeks. It was “a continual grinding of the heart,” he said.

After a full day in court, Hanzman and Colby would head home with videos and notes about the deceased for the next day’s hearings. Within an hour, one of them would call the other, weeping.

“We would think, how could the next day be even sadder?” Colby said.

Hanzman described it as attending three to four funerals

a day for five continuous weeks.

“It took everything out of me,” he said. “I still have not recovered. I likely never will. But I wouldn’t do anything different.”

What remains

The Surfside judges and lawyers’ accomplishment has been hailed not only as unprecedented, but as an example for how the legal system could work.

“A couple of things happened in this case, which would not have happened in any parallel universe with a judge other than Judge Hanzman,” Greer said. “When the case had every probability of going off the tracks and into slow motion, he refused to let that happen.”

Hanzman, who returned to private practice this year as senior counsel at the Bilzin Sumberg law firm, credited the defense lawyers and plaintiffs’ counsel with bringing the case to its swift conclusion. Of Greer, who served pro bono, Hanzman said, “He bled for this case and brought it home.”

Colby, who also took no compensation, described it as the greatest privilege of his career.

“I’m so proud to have graduated from the University of Florida where I was mentored by some of the finest professors and academic thinkers that I’ve ever been exposed to,” he said.

“I don’t think that Judge Hanzman and myself will ever be the same. We will always have a different outlook about the beauty of humanity and how painful it is to love so deeply and to lose so much.”

