

FREQUENTLY ASKED QUESTIONS

If you own or owned a house at the Camellia Island Development in Weston, Florida from June 20, 1999 to January 25, 2016 you could receive benefits from a Class Action Settlement.

Si desea recibir esta notificación en español, visite nuestra página web.

A settlement has been reached with Defendants Arvida/JMB Partners, L.P., Arvida/JMB Managers, Inc., Arvida Contractors Limited Partnership, Arvida Contractors, Inc., and Charles Douglas Duke (collectively, “Arvida Defendants”) and Defendants Waterproofing of Miami, Inc. and Bernabe I. Peña (collectively “Waterproofing Defendants”) (together Arvida Defendants and Waterproofing Defendants are “Defendants”) in an action alleging, among other things, claims for alleged defects in the construction of houses at the Camellia Island development in Weston, Florida. The Settlement provides benefits to persons or entities that own homes with, or have repaired alleged, roofing, truss, or shutter defects in Camellia Island. The description in this Notice is general and does not cover all of the issues and the proceedings thus far. The Settlement Agreement can be found on the Settlement website at www.camelliaislandsettlement.com. The Defendants deny the claims and allegations and maintain they did nothing wrong.

Who is included? You may be a member of the Settlement Class.

The Settlement Class includes all persons or entities that own homes with, or have repaired, roofing, truss or shutter defects, in the Camellia Island subdivision in Weston, Florida who presently, or at any time in the future, assert claims for violations of Fla. Stat. Section 553.84 for substandard construction. Among those excluded from the Settlement Class are Judge Peter M. Weinstein and members of the judicial staff of the Circuit Court for the Seventeenth Judicial Circuit, in and for Broward County, Florida.

What does the settlement provide?

The Settlement Proceeds, as defined in the Settlement Agreement, will be distributed depending on the ownership of property at Camellia Island. For each house, Current Owners who have not previously opted out of the Lawsuit are entitled to share a payment currently estimated to be in a range between \$17,500 and \$18,677 with other Current Owners who concurrently own the property. Former Owners will be entitled to share a payment estimated to be in a range between \$3,040 and \$3,360 with other Former Owners who concurrently owned the property. The Class Members will be entitled to receive settlement proceeds payable by check to be sent separately after the Effective Date of the Settlement. These settlement benefit amounts are good faith estimates. The exact amounts to be paid to Former and Current Owners will depend on, among other things: (a) the cost of administering the settlement, (b) the Attorneys’ Fees and Costs awarded, and (c) the Incentive Award, if any, paid to the Class Representatives. In the event that the Class is comprised of more members than is currently contemplated, the award will be

reduced pro rata among the Class Members. Details regarding the settlement benefits are in the Settlement Agreement, available at www.camelliaislandsettlement.com.

When will the Settlement Proceeds be paid to Class Members?

The Settlement Proceeds will be paid to the Class Members 30 days after the Effective Date. The Effective Date will be after the Settlement Agreement is final, meaning after the Settlement is approved by the trial court and after all appeals, if any, have been dismissed.

How much money will the Class Representatives receive?

Richard Rothal and Cynthia McPherson are the Class Representatives. Richard Rothal has advised that he will seek \$150,000.00. Cynthia McPherson has not advised whether she will seek an incentive fee. Defendants will oppose Mr. Rothal's request. The Court will determine how much to award Mr. Rothal at the Final Approval Hearing.

How much are the Legal Fees and Costs?

At this time, it is estimated that Class Counsel will seek \$1,750,000 in attorneys' fees and \$300,000 for reimbursement of the costs incurred to be paid from the Settlement Proceeds. However, the Court will determine the final amounts to be awarded at the Final Approval Hearing.

Your other options.

If you do not want to be legally bound by the Settlement, you must send a written notice of exclusion to Camellia Island Settlement, P.O. Box 23648, Jacksonville, Florida 32241-3648 and David Deehl, Deehl PLLC, 2655 LeJeune Road, Coral Gables, Florida 33134, as Class Counsel, by **April 14, 2016**. If you do not exclude yourself from the Settlement Class by **April 14, 2016**, you may object to any aspect of the proposed Settlement. Any Settlement Class Member who objects to all or part of the proposed Settlement and wants the Court to consider his or her objection, or who seeks intervention, must file such objection, or request for intervention, and all supporting evidence, briefs, or other papers with the Clerk of the Court on or before **April 14, 2016**. Any such Settlement Class Member also must have served all written objections, motions, papers, and briefs upon: David Deehl, Deehl PLLC, 2655 LeJeune Road, Coral Gables, Florida 33134, as Class Counsel; Jaime A. Bianchi, White & Case LLP, 200 South Biscayne Boulevard, Suite 4900, Miami, FL, 33131, as Counsel for the Arvida Defendants; and Gregory Willis, Cole Scott Kissane, P.A., 600 North Pine Island Road, Lakeside Office Center, Suite 110, Plantation, FL 33324, and Gary F. Baumann, Baumann, Gant & Keeley, P.A., 1401 E. Broward Blvd., Suite 200, Ft. Lauderdale, FL 33301, as Counsel for the Waterproofing Defendants.

Any objection to the Settlement Agreement must: (i) contain the full name and current address of the person or entity objecting; (ii) contain the title of the Subject Lawsuit (Richard Rothal, et al. v. Arvida/JMB Partners, L.P. et al., Circuit Court for the Seventeenth Judicial Circuit in and for Broward County, Florida, Case No. 03-10709 CACE12); (iii) state the reason(s) for the objection; and (iv) be accompanied by any evidence, briefs, motions or other materials the objector intends to offer in support of the objection.

Any Settlement Class Member who does not file objections in the time and manner described above is forever foreclosed from raising any objection to such matters in the event that the Settlement is approved. Any Settlement Class Member who does not file a request for intervention in the time and manner described above is forever foreclosed from seeking intervention in the Lawsuit.

Final Approval Hearing.

The Court will hold a hearing on **June 22, 2016 at 10:00 a.m.**, to consider whether to approve the Settlement, a request for attorneys' fees, up to \$1,750,000, and an incentive fee for the Class Representatives. You or your own lawyer, if you have one, may ask to appear and speak at the hearing at your own cost, but you do not have to. For more information, visit the Settlement website at www.camelliaislandsettlement.com or write Class Counsel at:

David Deehl
Deehl PLLC
2655 LeJeune Road, PH 1G
Coral Gables, Florida 33134

The Broward Circuit Court is relocating, and as such, the date and time of the Final Approval Hearing is subject to change. For the most up-to-date information, please check the Settlement website and the Court website.

Where Can I Get More Information?

The complete Settlement can be found at www.camelliaislandsettlement.com. The Settlement Agreement is the legally binding document where all the terms of the Settlement are fully set out. In the event that there is a conflict between these Frequently Asked Questions and the Settlement Agreement, the terms of the Settlement Agreement govern.