

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2007-043672-CA-01

SECTION: CA09

JUDGE: Pedro P Echarte Jr.

State Of Fla Office Of Fin Reg

Plaintiff(s)

vs.

Berman Mortgage Corp

Defendant(s)

_____ /

UNOPPOSED ORDER DISMISSING CASE AND GRANTING RECEIVER'S MOTION

THIS MATTER came before the Court on Wednesday, August 19, 2020, at 8:30 a.m. upon the hearing on the *Motion to for Authority to (I) Make a Final Distribution to Lenders on a Pro Rata Basis; (II) Distribute Unclaimed Funds on a Pro Rata Basis; (III) Destroy Records; and (IV) Close Case, and for the Entry of an Order Discharging the Receiver Upon Closure of Case* (the "Motion") filed by Michael Goldberg, the court-appointed receiver over Defendants Berman Mortgage Corporation, M.A.M.C. Incorporated, and Relief Defendants DB Atlanta, LLC, *et al.* (the "Corporate Defendants"). The Court, having reviewed the Motion, heard argument of counsel, finding that the notice and established procedures of posting to the Receivership website and e-mail distribution to the investors (the "Lenders"), constitutes adequate notice of this Motion, the hearing thereon and this Order, and being otherwise fully advised in the premises, does:

ORDER AND ADJUDGE that:

1. The Motion is GRANTED.
2. After the Receiver completes the final administration of the receivership estate, he

- is authorized to make a *pro rata* distribution of the remaining funds to the Lenders.
3. The Lenders will receive payment in the form of a check. The checks shall include a notation that they will be void if not presented to their bank within 90 days, otherwise the Lender will forfeit the distribution. Thereafter, the Receiver is authorized to distribute those funds to the other Lenders on a *pro rata* basis.
 4. The Receiver is authorized to destroy the records and data in file cabinets, boxes, computers, hard drives, and servers relating to the Receivership Defendants and to use a portion of the funds in his possession to cover the costs of destroying those records.
 5. Except as provided herein, the Receiver, his agents, employees, independent contractors, attorneys and representatives shall be (a) discharged; (b) released from all claims and liabilities arising out of and/or pertaining to the Receiver's actions taken in his role as the Receiver in the receivership; and (c) relieved of all duties and responsibilities.
 6. After the Receiver has concluded the tasks of winding down the receivership estate, paying the administrative costs and fees, and making a final distribution to the Lenders, the Receiver shall be discharged from his role without need for further Order of the Court.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 20th day of August, 2020.

2007-043672-CA-01 08-20-2020 3:00 PM

2007-043672-CA-01 08-20-2020 3:00 PM

Hon. Pedro P Echarte Jr.

CIRCUIT COURT JUDGE

Electronically Signed

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES.

Electronically Served:

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