

**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)

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**ORDER AUTHORIZING THE RECEIVER'S DONATION OF UP TO \$77,967.61 IN  
FINAL FUNDS TO A 501(C)(3) NON-PROFIT**

This matter came before the Court on Thursday, November 4, 2021, at 11:15 a.m. at a specially set hearing (the “Hearing”) on the Motion (D.E. 81) and supporting Memorandum of Law (D.E. 83) filed by Michael Goldberg, the court-appointed receiver (the “Receiver”) over Defendants Berman Mortgage Corporation, M.A.M.C. Incorporated, and Relief Defendants DB Atlanta, LLC, *et al.* The Court, having reviewed the Motion and Memorandum of Law, having considered the representations of the Receiver at the Hearing and noting no objections to the Motion were received, and finding that the notice and established procedures of posting to the receivership website and e-mail distribution to the Lenders<sup>[1]</sup> 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. The Court finds that Receiver has sufficiently demonstrated that administration of

the Final Funds would prove unprofitable for the receivership estate.

3. Accordingly, after the Receiver completes the final administration of the receivership estate, he is authorized to donate all remaining Final Funds in an amount up to and including \$77,967.61 (the "Donation").
4. The Donation is to be made to a not-for-profit, non-religious food bank serving the residents of Miami-Dade County and is to be selected by the Executive Committee of Lenders.
5. After the Receiver has concluded the tasks of winding down the receivership estate, paying the administrative costs and fees, and making the Donation, the Receiver will be discharged from his role without need for further Order of the Court.
6. 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, including, but not limited to the making of the Donation; and (c) relieved of all duties and responsibilities.

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<sup>[1]</sup> Capitalized terms will take on the meaning ascribed to them in the Motion unless otherwise defined herein.

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida on this 8th day of November, 2021.

2007-043672-CA-01 11-08-2021 11:31 AM

2007-043672-CA-01 11-08-2021 11:31 AM

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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