

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT, IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

STATE OF FLORIDA, OFFICE OF FINANCIAL
REGULATION,

CASE NO.: 07-43672 CA 09

Plaintiff,

v.

BERMAN MORTGAGE CORPORATION, a
Florida corporation, M.A.M.C.
INCORPORATED, a Florida corporation, DANA
J. BERMAN, as Owner and Managing Member,

Defendant.

and,

DB ATLANTA, LLC, a Florida Limited Liability
Company, et al.,

Relief Defendants.

NOTICE OF SERVICE

PLEASE TAKE NOTICE that the undersigned counsel has served a true and correct copy of this *Notice of Service* including the attached *Orders* which are listed below, have been served upon all listed in the attached Service List, on this **3rd day of November 2008**, copies of the *Orders* attached include the following:

1. *Order Granting Imber's Motion to Stay Pending Appeal, entered on October 29, 2008;*
2. *Order on Skilled Services' Motion for Clarification and Vacating Order Granting Stay entered on October 29, 2008;*
3. *Order Granting Receiver's Motion to Approve the Execution of the Purchase and Sale Agreement on behalf of MAMC Florida Sportsdance, LLC, entered on October 31, 2008;*
and

BERGER SINGERMAN
attorneys at law

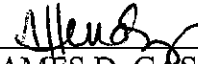
Boca Raton Fort Lauderdale Miami Tallahassee

200 South Biscayne Boulevard Suite 1000 Miami, Florida 33131-5308 Telephone 305-755-9500 Facsimile 305-714-4340

4. *Order Denying Receiver's Motion to Vacate Order Granting Motion for Supplemental Relief from Stay, entered on October 31, 2008.*

Respectfully submitted,

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By: 

JAMES D. GASSENHEIMER
Florida Bar No. 959987
ARIADNA HERNANDEZ
Florida Bar No. 020953

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Electronic Mail and U.S. Mail on this 3rd day of November 2008, upon the attached Service List.

Respectfully submitted,

By: 

ARIADNA HERNANDEZ
Florida Bar No. 020953

cc: Michael Goldberg, Esq., as Receiver *(via e-mail)*
The Investor(s)/Lender(s) Group *(via e-mail)*

SERVICE LIST

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IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT, IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 07-43672 CA 09

STATE OF FLORIDA,

Plaintiff,

v.

BERMAN MORTGAGE *et al.*,

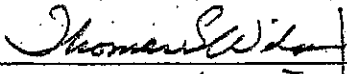
Defendants.

ORDER GRANTING IMBER'S MOTION TO STAY PENDING APPEAL

This matter having come before the Court on Imber's Motion to Stay Pending Appeal, and having read said motion and being familiar with the pleadings and discovery referenced therein,

Defendant's motion is hereby GRANTED.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida on this 29
day of Oct., 2008.


Thomas S. Wilson, Jr.
CIRCUIT COURT JUDGE

Copies Furnished To:

Nanci Landy, Esq.

Paul Huck, Esq.

Michael A. Hanzman, Esq.

James D. Gassenheimer, Esq.

Michael I. Goldberg, Esq.

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 07-43672 CA 09

STATE OF FLORIDA,
OFFICE OF FINANCIAL REGULATION,

Plaintiff,

vs.

BERMAN MORTGAGE CORPORATION,
ETC., ET AL.,

Defendants.

And

DB TAMPA, LLC., ETC., ET AL.,

Relief Defendants.

**ORDER ON SKILLED SERVICES' MOTION FOR CLARIFICATION
AND VACATING ORDER GRANTING STAY**

THIS MATTER was before the Court on October 24, 2008 on the Motion of SKILLED SERVICES OF TAMPA BAY, LLC, a Florida Limited Liability Company ("Skilled Services"), for clarification of the Order Granting Stay entered by this Court on June 23, 2008 (the "Stay Order"). The Court considered this Motion and Skilled Services' *ore tenus* Motion to Vacate the Stay Order, heard argument of counsel representing SKILLED SERVICES OF TAMPA BAY, LLC., and GILES CONSTRUCTION GROUP, INC. ("Giles") and from counsel for the Receiver, and was otherwise fully advised.

1. The Stay Order was predicated on the existence of an injunction in this matter against Giles and others from proceeding against Relief Defendant DB Tampa, Inc.

2. During argument on Skilled Services' Motion for Clarification, counsel for the Receiver announced in open court that the Receiver would waive its rights to the injunction prohibiting Giles from proceeding against DB Tampa, Inc. That injunction was the basis underlying the Stay Order.

3. Counsel for Skilled Services then moved *ore tenus* to vacate the Stay Order, upon the granting of which the pending Motion for Clarification became moot.

It is therefore,

ORDERED AND ADJUDGED that Skilled Services' *ore tenus* motion to vacate the Order Granting Stay dated June 23, 2008 is hereby GRANTED and said order is hereby vacated and of no further force and effect. The Motion for Clarification is therefore moot.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida this 29 day of ~~Confirmed Copy~~
October, 2008.

OCT 29 2008

Thomas S. Wilson, Jr.
CIRCUIT COURT JUDGE
Circuit Court Judge

Copies furnished to:
Norman Malinski, Esquire
Norman S. Segall, Esquire
James Gassenheimer, Esquire

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION
CASE NO: 07-43672

State of Florida
Office of Financial
Regulation

Plaintiff(s),

vs.

Berman Mortgage
Defendant(s).

ORDER

GRANTING/DENYING

PLAINTIFF'S/DEFENDANT'S RECEIVABLES

Received THIS CAUSE having come on to be heard on October 31, 2008
on Plaintiff's/Defendant's Motion

To Approve the Execution of the Purchase
and Sale Agreement
and the Court having heard argument of counsel, and being otherwise advised in the premises, it is
hereupon

ORDERED AND ADJUDGED that said Motion be, and the same is hereby

Granted

DONE AND ORDERED in Chambers at Miami-Dade County, Florida this 31 day of

Oct., 2008

[Signature]
CIRCUIT COURT JUDGE

Copies furnished to: Counsel of Record

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION
CASE NO: 07-43672

State of Florida
Office of Financial
Regulation
Plaintiff(s),

vs.

Berman Mortgage
Defendant(s).

ORDER
GRANTING/DENYING
~~PLAINTIFF'S/DEFENDANT'S~~
Receiver's Motion to
VACATE Order
Granting Motion for
Supplemental Relief
From Stay.

~~Receiver's~~ THIS CAUSE having come on to be heard on Oct 31, 2008
on Plaintiff's/Defendant's Motion

Motion to Vacate Order Granting Motion
For Supplemental Relief From Stay

and the Court having heard argument of counsel, and being otherwise advised in the premises, it is
hereupon

ORDERED AND ADJUDGED that said Motion be, and the same is hereby

Denied

DONE AND ORDERED in Chambers at Miami-Dade County, Florida this 31 day of

Oct., 2008

Thomas Selig
CIRCUIT COURT JUDGE

Copies furnished to: Counsel of Record