

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, **DB DURHAM, LLC**, a Florida
Limited Liability Company, **NORMANDY
HOLDINGS II, LLC**, a Florida Limited Liability
Company, **NORMANDY HOLDINGS III, LLC**,
a Florida Limited Liability Company,
WATERSIDE ACQUISITIONS, LLC, a Florida
Limited Liability Company, **DBKN GULF
INCORPORATED**, a Florida Limited Liability
Company, **OCEANSIDE ACQUISITIONS,
LLC**, a Florida Limited Liability Company, **DB
BILOXI, LLC**, a Florida Limited Liability
Company, **DB BILOXI II, LLC**, a Florida
Limited Liability Company, **DB BILOXI III,
LLC**, a Florida Limited Liability Company, et al.,

Relief Defendants.

RE-NOTICE OF HEARING

(Special Set for 15 min.)

(Please note that undersigned counsel will be appearing telephonically)

YOU ARE HEREBY NOTIFIED that we will call up for hearing before the
HONORABLE THOMAS WILSON, JR., Circuit/Civil Judge, in **Room 626** at the MIAMI-

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

DADE COUNTY COURTHOUSE, 73 West Flagler Street, Miami, Florida 33130, on **THURSDAY, DECEMBER 4, 2008 at 1:30 P.M.**, or as soon thereafter as the same may be heard:

RECEIVER'S MOTION TO APPROVE THE SETTLEMENT AGREEMENT BETWEEN ATLANTIC LENDING, LLC, AND BERMAN MORTGAGE CORPORATION, M.A.M.C. INCORPORATED, THE MAMC LENDERS AND THE RECEIVERSHIP ASSETS;

RECEIVER'S MOTION TO AUTHORIZE THE RECEIVER TO EXECUTE DOCUMENTS THAT ARE REQUIRED FOR THE SALE OF MAMC FLORIDA SPORTSDANCE, LLC'S RECEIVERSHIP ASSETS;

RECEIVER'S SUPPLEMENTAL FILING IN SUPPORT OF RECEIVER'S MOTION TO AUTHORIZE THE RECEIVER TO EXECUTE DOCUMENTS THAT ARE REQUIRED FOR THE SALE OF MAMC FLORIDA SPORTSDANCE, LLC'S RECEIVERSHIP ASSETS;

RECEIVER'S MOTION TO AUTHORIZE THE DISTRIBUTION OF PROCEEDS FROM SALE OF MAMC FLORIDA SPORTSDANCE, LLC'S RECEIVERSHIP ASSETS;

AND

RECEIVER'S REVISED MOTION TO AUTHORIZE THE DISTRIBUTION OF PROCEEDS FROM SALE OF MAMC FLORIDA SPORTSDANCE, LLC'S RECEIVERSHIP ASSETS;

PLEASE BE GOVERNED ACCORDINGLY.

WE HEREBY CERTIFY THAT THE UNDERSIGNED COUNSEL HAS MADE, OR WILL MAKE, A BONA FIDE EFFORT TO RESOLVE THE MATTER SCHEDULED FOR HEARING, OR ATTEMPT TO NARROW THE ISSUES, PRIOR TO THE DATE OF THE HEARING.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the Court Administrator's office at 305-349-7000 no later than seven (7) days prior to the proceeding. If you are hearing impaired, call (TDD) 1-800-955-8771 no later than seven (7) business days prior to such proceeding; if you are voice impaired, call 1-800-955-8770 no later than seven (7) business days prior to such proceeding.

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 December 2008**, to: **Cristina Saenz, Assistant General Counsel**, STATE OF FLORIDA, OFFICE OF FINANCIAL REGULATION, 401 N.W. 2nd Avenue, Suite N-708, Miami, Florida 33128; to **Alan M. Sandler, Esquire, Counsel for Defendants, Joel and Deborah Sokol, Darlene Levasser, Robert Dzimidas IRA, Lawrence Meyer IRA, Lawrence Meyer Roth IRA and Mary Joe Meyer SD IRA and Mary Joe Meyer Roth IRA**, of SANDLER & SANDLER, 117 Aragon Avenue, Coral Gables, Florida 33134; to **Allan A. Joseph, Esquire, Counsel for The Amadi Companies and Amedia Family Investors**, DAVID AND JOSEPH, P.L., 1001 Brickell Bay Drive, Suite 2002, Miami, Florida 33131; to **Richard R. Robles, Esquire, LAW OFFICES OF RICHARD ROBLES, P.A., Counsel for the Four Ambassadors Association, Inc.**, 905 Brickell Bay Drive, Tower II, Mezzanine, Suite 228, Miami, Florida 33131; to **Daniel Kaplan, Esquire, Counsel for Deborah A. Berman**, at the LAW OFFICES OF DANIEL KAPLAN, P.A., Turnberry Plaza, Suite 600, 2875 N.E. 191st Street, Aventura, Florida 33180; to **Howard N. Kahn, Esquire, Attorneys for Intervenor, Ira Sukoff**, KAHN, CHENKIN & RESNIK, P.L., 1815 Griffin Road, Suite 207, Dania, Florida 33304; to **Charles Pickett, Esquire and Linda Dickhaus Agnant, Esquire, Attorneys for Johns Manville**, CASEY CIKLIN LUBITZ MARTENS & O'CONNELL, P.A., 515 North Flagler Drive, Suite 1900, West Palm Beach, Florida 33401; to **Helen Schwartz Romañez, Esquire, Attorneys for Turnberry Bank & Bank of Coral Gables**, The Romañez Law Firm, 255 Alhambra Circle, Suite 850, Coral Gables, Florida 33134; to **Charles W. Throckmorton, Esquire, Attorneys for Dana Berman**, KOZYAK TROPIN THROCKMORTON, P.A., 2525 Ponce de Leon Boulevard, 9th Floor, Coral Gables, Florida 33134; to **J. Andrew Baldwin, Esquire, Attorneys for Regions Bank**, THE SOLOMON LAW GROUP, P.A., 1881 West Kennedy Boulevard, Tampa, Florida 33606-1606; to **Rey Hicks and Javier Castillo** of COMPLETE PROPERTY MANAGEMENT, at Post Office Box 402507, Miami Beach, Florida 33140; to **Daren Schwartz**, 12555 Biscayne Boulevard, Unit #930, North Miami, Florida 33181; to **Norman Malinski, Esquire, Counsel for Giles Construction**, 2875 NE 191st Street, Suite 508, Aventura, Florida 33180; **Gabrielle D'Alemberte, Esquire**, LAW OFFICES OF ROBERT PARKS, 2121 Ponce de Leon Boulevard, Suite 505, Coral Gables, Florida 33134; to **Robert B. Miller**,

Esquire, Attorneys for Atlantic Lending, LLC, TABAS, FREEDMAN, SOLOFF & MILLER, P.A., The Ingraham Building 25 SE 2nd Avenue, Suite 919, Miami, Florida 33131-1538; to **Richard P. Cole, Esquire, Edward S. Polk, Esquire and/or Crystal Leah Arocha, Esquire, Attorneys for Meland Russin Hellinger & Budwick, P.A. COLE SCOTT & KISSANE, P.A.,** Pacific National Bank Building, 1390 Brickell Avenue, Third Floor, Miami, Florida 33131; to **David A. Wheeler, Esquire, Counsel for Various Unit Owners at Le Chateau Condominiums at DB Biloxi II, LLC WHEELER & WHEELER, PLLC,** 185 Main Street, Biloxi, Mississippi 39530; to **Michael A. Hanzman, Esquire, Attorneys for Non-Parties, Barry A. Imber and Imber & Company HANZMAN GILBERT, LLP,** 2525 Ponce de Leon Boulevard, Suite 700, Coral Gables, Florida 33134; to **Paul Huck, Esquire and Dean C. Colson, Esquire, COLSON HICKS EIDSON,** 255 Aragon Avenue, Second Floor, Coral Gables, Florida 33134; and to **Jason S. Miller, Esquire, Counsel for Flagstar Bank, ADORNO & YOSS, LLP,** 2525 Ponce de Leon Boulevard, Suite 400, Coral Gables, Florida 33134.

Respectfully submitted,

BERGER SINGERMAN
Attorneys for Receiver Michael I. Goldberg
1000 Wachovia Financial Center
200 South Biscayne Boulevard
Miami, Florida 33131
Telephone: (305) 755-9500
Facsimile: (305) 714-4340

By:  FOR

JAMES D. GASSENHEIMER
Florida Bar No. 959987

cc: The Honorable Thomas Wilson, Jr. (*via Hand-Delivery*)
Michael Goldberg, Esq., as Receiver (*via e-mail*)
The Investor(s)/Lender(s) Group (*via e-mail*)

1835437-1