

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

STATE OF FLORIDA, OFFICE OF FINANCIAL  
REGULATION,

CASE NO.: 07-43672 CA 09

Plaintiff,

vs.

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,  
**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, **DBDS  
VERO BEACH, LLC**, a Florida Limited Liability  
Company, **DB TAMPA, LLC**, a Florida Limited  
Liability Company, **DB SIMPSONVILLE, LLC**,  
a Florida Limited Liability Company, **DBDS  
NORTH MIAMI, LLC**, a Florida Limited  
Liability Company, **REDLANDS RANCH  
HOLDINGS, LLC**, a Florida Limited Liability  
Company, **DBDS BISCAYNE PARK, LLC**, a  
Florida Limited Liability Company, **DB  
CARROLL STREET, LLC**, a Florida Limited  
Liability Company,

Relief Defendants.

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**ORDER ON RECEIVER'S MOTION TO INCREASE  
AUTHORIZED INTEREST RATE ON PRIMING LOANS**

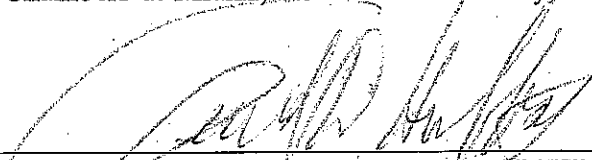
THIS CAUSE HAVING come before the Court on July 30, 2008, by way of the Order on Receiver's Motion to Increase Authorized Interest Rate on Priming Loans, and the Court having heard argument of counsel, having heard the position of the Receiver, having reviewed the papers, and having been otherwise duly advised in the premises, it is hereby,

**ORDERED AND ADJUDGED that:**

1. The Receiver's Motion is hereby GRANTED.

2. The Receiver is authorized to offer priming loans on any and all assets at rates upto 12% per annum. The loans shall have a priority in repayment through Receiver Certificates and prime all existing liens on the Receivership assets.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, on this 30 day of July 2008.

  
**GERALD D. HUBBART, CIRCUIT ALTERNATE  
JUDGE FOR THOMAS WILSON, JR., CIRCUIT JUDGE**

cc: All Counsel of Record  
Posted on Receiver's Website  
E-mailed to Investor Group

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and,

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CARROLL STREET, LLC**, a Florida Limited  
Liability Company,

Relief Defendants.

**RECEIVER'S MOTION TO INCREASE  
AUTHORIZED INTEREST RATE ON PRIMING LOANS**

Michael I. Goldberg, as State Court Appointed Receiver over Defendants Dana J. Berman, Berman Mortgage Corporation, M.A.M.C. Incorporated, et al., and Relief Defendants DB Atlanta, LLC, et al., by and through undersigned counsel, hereby files this *Motion for Court Order Authorizing Priming Loans at rates up to 12%*, and as grounds therefore states:

1. Michael Goldberg, is the Court Appointed Receiver of the Defendants and Relief Defendants in this matter.

2. The Receiver is in need of raising capital to cover expenses with respect to specific projects owned by the Relief Defendants.

3. The Relief Defendants are holders of equity interests in various real estate developments and M.A.M.C Incorporated on behalf of an Investor Group, holds liens on certain of the projects. Many of these projects are confronted with expenses such as property taxes, condominium association fees, among other obligations.

4. This court has previously authorized the Receiver to raise funds and create priming first position liens with interest rates up to 8% priming existing liens to raise funds on the projects. The Receiver now seeks authority from this Court to borrow funds at the interest rate of upto 12% to and secure these loans with a first position, priming mortgage, on the assets of the Relief Defendants. These new loans will have a superior position to the current lien and equity interests associated with each project.

5. The previously authorized 8% rate has been insufficient in the current market conditions to raise adequate funds.

WHEREFORE, the Receiver moves for the aforementioned relief.

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Electronic Mail/Facsimile/Hand-Delivery/U.S. Mail on this 1<sup>st</sup> day of July, 2008, to: **Cristina Saenz, Assistant General Counsel**, STATE OF FLORIDA, OFFICE OF FINANCIAL REGULATION, 401 N.W. 2<sup>nd</sup> 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 Amid Companies and Amedia Family Investors**, DAVID AND JOSEPH, P.L., 1001 Brickell Avenue, 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. 191<sup>st</sup> 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 **Lawrence Shoot, Esquire, Attorneys for USA Funding**, 4830 SW 92<sup>nd</sup> Avenue, Miami, Florida 33165; 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**, 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, 9<sup>th</sup> Floor, Coral Gables, Florida 33134; to **James S.**

Telepman, Esquire, Attorneys for Jericho All-Weather Opportunity Fund, LP, COHEN, NORRIS, SCHERER, WEINBERGER & WOLMER, 712 U.S. Highway One, Suite 400, North Palm Beach, Florida 33408-7146; and to Allen P. Pegg, Esquire, Counsel for Ibox Cheoah I, LLC, at MURAI, WALD, BIONDO, MORENO & BROCHIN, P.A., Two Alhambra Plaza, Penthouse 1B, Coral Gables, Florida 33134.

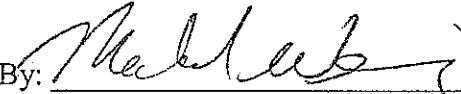
Respectfully Submitted,

BERGER SINGERMAN

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By: 

JAMES D. GASSENHEIMER

Florida Bar No. 959987

E-Mail: [jgassenheimer@bergersingerman.com](mailto:jgassenheimer@bergersingerman.com)

cc: The Honorable Thomas Wilson, Jr. (via Hand-Delivery)  
Michael Goldberg, Receiver (via email)  
The Investor Group (via email)

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