

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.

NOTICE OF HEARING
(Motion Calendar / Add-On)

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 **WEDNESDAY, DECEMBER 17, 2008 at 9:00 A.M.**, or as soon thereafter as the same may be heard:

**RECEIVER'S EMERGENCY MOTION TO AUTHORIZE
THE RECEIVER TO EXECUTE DOCUMENTS REQUIRED
FOR THE SALE OF THE ASSETS OF DBDS MELBOURNE**

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.

Respectfully submitted,

BERGER SINGERMAN
Attorneys for Receiver Michael I. Goldberg
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200 South Biscayne Boulevard
Miami, Florida 33131
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E-Mail: jgassenheimer@bergersingerman.com

By: _____

JAMES D. GASSENHEIMER
Florida Bar No. 959987


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, Facsimile and U.S. Mail on this **16th 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 **Charles W. Throckmorton, Esquire, Attorneys for Dana Berman**, KOZYAK TROPIN THROCKMORTON, P.A., 2525 Ponce de Leon Boulevard, 9th Floor, Coral Gables, Florida 33134; and to **Jared Gelles, Esquire, Counsel for Daren Schwartz**, RAFFERTY, STOLZENBERG, GELLES, ET AL., 1401 Brickell Avenue, Suite 825, Miami, Florida 33131-3502.

Respectfully submitted,

By: _____


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)*

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