

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, **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 GRANTING RECEIVER'S MOTION TO ESTABLISH  
PROCEDURES FOR PAYMENTS OF RECEIVER CERTIFICATES  
AND MONIES ADVANCED FOR OPERATING EXPENSES**

**THIS CAUSE HAVING** come on before the Court on March 11, 2008, upon the *above-styled Motion*, and the Court having heard argument of counsel, having heard the position of the Receiver, and being otherwise duly advised in the premises, it is hereby;

**ORDERED AND ADJUDGED** that:

1. The Receiver's Motion is Granted.
2. Receiver is authorized to collect and deposit into an operating account 2% of the principal amount of the recovery from the monetization of each account.
3. The funds held in this special designated operating account shall be used at the Receiver's discretion to repay the monies advanced to the Receiver and to Alan Goldberg, by certain investors, to cover operating expenses and thereafter used to repay any future advances made by the investors on operating expenses and otherwise used for operating expenses.
4. The Receiver is authorized to continue to raise funds from the investor group to cover short falls for operating expenses, and is authorized to repay these future advances from the funds recovered from the 2% of principal collected pursuant to this Order.
5. At the conclusion of the Receivership, excess funds collected and held in the operating budget account, shall be held in escrow and distributed in accordance with Order of this Court.
6. The Receiver shall separately escrow the 2% principal and shall not use or distribute these funds without further Order of this Court on the Atlantic Beach and V-Strategic pending the filing by investor, Jack Attias, as to a specific objection thereto and/or further motion of the Receiver seeking a final determination on the obligation of these specific loan projects to participate in the operating expenses.

**DONE AND ORDERED** in Chambers at Miami, Miami-Dade County, Florida, on this  
\_\_\_\_\_ day of March 2007.

MAR 14 2008  
THOMAS WILSON, JR., CIRCUIT JUDGE  
Circuit Court Judge

cc: All Counsel of Record

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