

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, et al.,

Relief Defendants.

**RE-NOTICE OF HEARING**  
**(Special Set for 15 minutes)**

*(This notice cancels & resets hearing, as the Court's will be Closed on 2/16/09)*

**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-  
DADE COUNTY COURTHOUSE, 73 West Flagler Street, Miami, Florida 33130, on **TUESDAY,**  
**FEBRUARY 10, 2009 at 9:30 A.M.**, or as soon thereafter as the same may be heard:

**RECEIVER'S MOTION FOR COURT ORDER AUTHORIZING THE RECEIVER  
TO EXECUTE THE EXCLUSIVE SALES LISTING AGREEMENT  
BETWEEN RELIEF DEFENDANTS, DB BILOXI, LLC, AS TO EDGEWATER,  
DB BILOXI, II, LLC, AS TO LE CHATEAU AND DB BILOXI III, LLC,  
AS TO OAK SHORES PHASE II AND TERRANOVA CORPORATION;**

BERGER SINGERMAN  
attorneys at law

Boca Raton Fort Lauderdale Miami Tallahassee

AND

**RECEIVER'S MOTION FOR COURT ORDER AUTHORIZING THE RECEIVER  
TO EXECUTE THE EXCLUSIVE AUTHORIZATION AND RIGHT TO SELL  
LISTING AGREEMENT BETWEEN RELIEF DEFENDANT  
DB BILOXI III, LLC AND SAM FORD, CALDWELL BANKER ALFONSO REALTY**

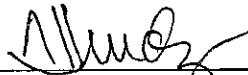
*PLEASE BE GOVERNED ACCORDINGLY.*

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*  
1000 Wachovia Financial Center  
200 South Biscayne Boulevard  
Miami, Florida 33131  
Telephone: (305) 755-9500  
Facsimile: (305) 714-4340

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/or U.S. Mail on this 23<sup>rd</sup> day of January 2009, 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; and 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.*

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:   
\_\_\_\_\_  
JAMES D. GASSENHEIMER  
Florida Bar No. 959987  
ARIADNA HERNANDEZ  
Florida Bar No. 020953

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*)

*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.*

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