

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

CASE NO.: 08-79169 CA 09

ALEX BISTRICER, as limited partner of  
GULF ISLAND RESORT L.P., et al.,

Plaintiffs/Counterclaim Defendants,

vs.

COASTAL REAL ESTATE ASSOCIATES,  
INC., et al.,

Defendants/Counterclaim Plaintiffs,

COASTAL REAL ESTATE ASSOCIATES,  
INC., et al.,

Defendants/Counterclaim  
Plaintiffs/Third Party Plaintiffs,

vs.

CANDY SMITH, et al.,

Third Party Defendants.

and

ALEX BISTRICER, as limited partner of  
GULF ISLAND RESORT L.P., and GULF  
ISLAND RESORT, L.P.,

Plaintiffs,

vs.

FLOYD R. DUVALL, JR. and MELINDA J.  
DUVALL,

Defendants.

THE ORIGINAL  
FILED ON:

APR 07 2009

IN THE OFFICE OF  
CIRCUIT COURT DADE CO. FL.

**NOTICE OF HEARING**  
**(Special Set for 30 minutes)**

*(Telephone notice given to opposing counsel on 4/7/09)*

YOU ARE HEREBY NOTIFIED that we will call up for hearing before the HONORABLE THOMAS WILSON, JR., Circuit/Civil Judge, in **Room 400** at the MIAMI-DADE COUNTY COURTHOUSE, 73 West Flagler Street, Miami, Florida 33130, on **THURSDAY, APRIL 30, 2008 at 2:00 P.M.**, or as soon thereafter as the same may be heard:

**RECEIVER, MICHAEL I. GOLDBERG'S MOTION TO SELL THE PROPERTY OF OCEANSIDE ACQUISITIONS, LLC AND DBKN GULF INCORPORATED FREE AND CLEAR OF LIENS, CLAIMS, AND ENCUMBRANCES**

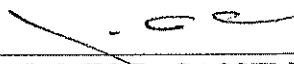
*PLEASE BE GOVERNED ACCORDINGLY.*

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  
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By: \_\_\_\_\_

  
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**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 7<sup>th</sup> day of April 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 **Maurice Baumgarten, Esquire**, [mbaumgarten@anania-law.com](mailto:mbaumgarten@anania-law.com), ANANIA, BANDKLAYDER, BLACKWELL, BAUMGARTEN, TORRICELLA & STEIN, Bank of America Tower – Suite 4300, 100 SE 2<sup>nd</sup> Street, Miami, Florida 33131, **Charles L. Neustein, Esquire**, [clnlaw@yahoo.com](mailto:clnlaw@yahoo.com), CHARLES L. NEUSTEIN, P.A., 777 Arthur Godfrey Road, Second Floor, Miami Beach, Florida 33140, **William Dufoe, Esquire**, [william.dufoe@hklaw.com](mailto:william.dufoe@hklaw.com) and **Robert W. Lang, Esquire**, [bob.lang@hklaw.com](mailto:bob.lang@hklaw.com), HOLLAND & KNIGHT, LLP, 100 North Tampa Street, Suite 4100, Tampa, Florida 33602, **Deborah Poore Fitzgerald, Esquire**, [dfitzgerald@waltonlantaff.com](mailto:dfitzgerald@waltonlantaff.com), WALTON LANTAFF SCHROEDER & CARSON, LLP, Corporate Center, Suite 2000, 100 East Broward Boulevard, Fort Lauderdale, Florida 33301; and **Peter Valori, Esquire**, [pvalori@dvlip.com](mailto:pvalori@dvlip.com), DAMIAN & VALORI, LLP, 1000 Brickell Avenue, Suite 1020, Miami, Florida 33131.

Respectfully submitted,

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, 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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