

IN THE **CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND FOR
MIAMI -DADE COUNTY, FLORIDA**

CASE NO.: 07-43672 CA 09

THE ORIGINAL
FILED ON

APR 27 2009

IN THE OFFICE OF
HARVEY RUVIN

STATE OF FLORIDA, OFFICE OF
FINANCIAL REGULATION,

Plaintiff,

vs.

BERMAN MORTGAGE CORPORATION,
a Florida corporation, M.A.M.C.
INCORPORATED, a Florida corporation,
DANA J. BERMAN, as Owner and Managing
Member,

Defendants,

and,

DB ATLANTA, LLC, a Florida limited liability
company, et al.,

Relief Defendants.

NOTICE OF HEARING
(Motion Calendar)

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 **TUESDAY,**
JUNE 23, 2009 at 2:30 P.M., or as soon thereafter as the same may be heard:

RECEIVER'S MOTION TO TREAT ALL INVESTORS IN
DB BILOXI, LLC PARI PASSU

PLEASE BE GOVERNED ACCORDINGLY.

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

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 **27th day of April 2009**, 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 **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 Amadi Companies and Amedia Family Investors**, DAVID AND JOSEPH, P.L., 1001 Brickell Bay Drive, 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. 191st Street, Aventura, Florida 33180; 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 & Bank of Coral Gables**, 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, 9th Floor, Coral Gables, Florida 33134; to **J. Andrew Baldwin, Esquire, Attorneys for Regions Bank**, THE SOLOMON LAW GROUP, P.A., 1881 West Kennedy Boulevard, Tampa, Florida 33606-1606; to **Rey Hicks and Javier Castillo** of COMPLETE PROPERTY MANAGEMENT, at Post Office Box 402507, Miami Beach, Florida 33140; to **Jared Gelles, Esquire, Counsel for Daren Schwartz**, RAFFERTY, STOLZENBERG, GELLES, ET AL., 1401 Brickell Avenue, Suite 825, Miami, Florida 33131-3502; to **Norman Malinski, Esquire, Counsel for Giles Construction**, 2875 NE 191st Street, Suite 508, Aventura, Florida 33180; **Gabrielle D'Alemberte, Esquire, LAW OFFICES OF ROBERT PARKS**, 2121 Ponce de Leon Boulevard, Suite 505, Coral Gables, Florida 33134; to **David A. Wheeler, Esquire, Counsel for Various Unit Owners at Le Chateau Condominiums at DB Biloxi II, LLC** WHEELER & WHEELER, PLLC, 185 Main Street, Biloxi, Mississippi 39530; to **Michael A. Hanzman, Esquire, HANZMAN GILBERT, LLP**, 2525 Ponce de Leon Boulevard,

Suite 700, Coral Gables, Florida 33134; to **Paul Huck, Esquire and Dean C. Colson, Esquire**, COLSON HICKS EIDSON, 255 Aragon Avenue, Second Floor, Coral Gables, Florida 33134; to **Jason S. Miller, Esquire**, *Counsel for Flagstar Bank*, ADORNO & YOSS, LLP, 2525 Ponce de Leon Boulevard, Suite 400, Coral Gables, Florida 33134; to **Mark A. Basurto, Esquire and Charles Evans Glausier, Esquire**, *Attorneys for Gulf Island Beach and Tennis Club Condominium Association, Inc.*, BUSH ROSS, P.A., Post Office Box 3913, Tampa, Florida 33601-3913; and to **Valerie Tompkins, Esquire**, *Counsel for Doris Tompkins, Investor/Lender in DB Biloxi II, LLC; for Paula Tompkins, as Investor/Lender in DB Biloxi I, LLC; and for Valerie Tompkins, as Investor/Lender in DB Biloxi, LLC, DB Biloxi II, LLC and DB Biloxi III, LLC, Redlands Ranch, LLC and DB Simpsonville, LLC*, LAW OFFICES OF VALERIE TOMPKINS, 12865 West Dixie Highway, Second Floor, North Miami, Florida 33161.

Respectfully submitted,

BERGER SINGERMAN

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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)*
Posted to the Berman Mortgage Website

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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