

IN THE CIRCUIT COURT OF THE ELEVENTH 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, et al.,

Relief Defendants.

**ORDER ON RECEIVER'S MOTION TO ABANDON RELIEF DEFENDANT,
DB BILOXI III, LLC AND FOR AN ORDER APPROVING
THE DISBURSEMENT OF FUNDS**

THIS CAUSE having come before the Court on September 22, 2009 on Receiver's Motion to Abandon Relief Defendant, DB Biloxi III, LLC and Approving the Disbursement of Funds (the "Motion"), and the Court having heard the argument of counsel, having heard the position of the Receiver, having reviewed the papers, it is hereby:

ORDERED AND ADJUDGED that:

1. The Receiver's Motion is hereby GRANTED.
2. The Receiver is authorized to abandon Relief Defendant, DB Biloxi III, LLC and to assign the M.A.M.C. Lenders' residual interest in the Alterna Settlement to M.A.M.C. Biloxi III, LLC, as outlined in the Motion.
3. With respect to any unclaimed deposits, the Court finds that the notice provided and Bar Date of October 30, 2009 for making claims on the deposits are reasonable.

4. DB Biloxi III, LLC is entitled to retain any and all said deposits, unless a claim is made in this Court by the Bar Date of October 30, 2009. After the Bar Date, claims to the deposits by any person or entity shall be forever barred.

5. After October 30, 2009, the Receiver is authorized to transfer any remaining deposit funds held by DB Biloxi III, LLC which are not the subject of any claim filed in this Court to MAMC Biloxi III, LLC free and clear of any liens, claims or encumbrances.

6. The Receiver is further authorized to distribute from deposit funds the remaining "Primed Lender Contributions" plus accrued interest as set forth in paragraph 20 of the Motion prior to transferring the net deposit funds to M.A.M.C. Biloxi III, LLC.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida on this ____ day of September 2009.

THOMAS S. WILSON, Jr.

THOMAS WILSON, JR., CIRCUIT JUDGE

Copies furnished to:

All Counsel of Record
Posted on Receivership Website

Conformed Copy

SEP 23 2009

Thomas S. Wilson, Jr.
Circuit Court Judge