

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

GENERAL JURISDICTION DIVISION

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 FOR AN ORDER APPROVING THE CONTRACT  
OF SALE OF A PORTION OF DB BILOXI, LLC'S PROPERTY  
AND DISBURSEMENT OF PROCEEDS OF SALE**

**THIS CAUSE** having come before the Court on October 8, 2009 on RECEIVER'S MOTION FOR AN ORDER APPROVING THE CONTRACT OF SALE OF A PORTION OF DB BILOXI, LLC'S PROPERTY AND DISBURSEMENT OF PROCEEDS OF SALE ("Motion"), and the Court having heard the argument of counsel, having heard the position of the Receiver, and having reviewed the papers, it is hereby:

**ORDERED AND ADJUDGED** that:

1. The Receiver's Motion is hereby GRANTED.

2. The Court finds that the established notice procedures used by the Receiver constitute adequate notice to the Lenders with regard to the Motion and Notice of Hearing thereon.

3. The Court authorizes the Receiver to execute the contract for the sale of the subject property and to perform all acts and execute all documents necessary to effectuate the terms of the contract and close on the sale of the subject property.

4. The Court hereby authorizes the Receiver to distribute the Funds (as defined in the Motion) in the manner set forth in paragraph 12(a) through (g) of the Motion.

**DONE AND ORDERED** in Chambers at Miami, Miami-Dade County, Florida on this \_\_\_\_ day of October 2009.

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**THOMAS WILSON, JR.,**  
CIRCUIT JUDGE

Copies furnished to:

All Counsel of Record  
Posted to the Receivership Website

**Conformed Copy**

**OCT 08 2009**

**Thomas S. Wilson, Jr.**  
Circuit Court Judge