

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
DISTRIBUTION OF FUNDS IN RELATION TO THE LE CHATEAU PROJECT OWNED
BY RELIEF DEFENDANT, DB BILOXI II, LLC**

THIS CAUSE having come before the Court on October 8, 2009 on RECEIVER'S
MOTION FOR AN ORDER APPROVING THE DISTRIBUTION OF FUNDS IN RELATION
TO THE LE CHATEAU PROJECT OWNED BY RELIEF DEFENDANT, DB BILOXI II, LLC
("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.

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


3. The Court finds that the proposed "Claims Bar Deadline" of 10/30/09 for making claims against the subject insurance proceeds is reasonable.

4. Parties claiming against the subject insurance proceeds shall file a claim in this Court with service on the Receiver's counsel on or before the Claims Bar Deadline. After the Claims Bar Deadline all such claims against the subject insurance proceeds shall be forever barred.

5. DB Biloxi II is entitled to retain the insurance proceeds apportioned to the Seller-Financed Units (as defined in the Motion) and distribute any and all the insurance proceeds apportioned to the Seller-Financed Units to the M.A.M.C. Lenders in proportion to their respective investments in the subject loan(s).

6. The Court hereby authorizes the Receiver to distribute the all remaining insurance proceeds in the manner set forth in the Motion.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida on this 8 day of October 2009.



THOMAS WILSON, JR.,
CIRCUIT JUDGE

THOMAS S. WILSON, JR.

Copies furnished to:
All Counsel of Record
Posted to the Receivership Website
All others listed on the Service List attached to the Motion