

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

GENERAL JURISDICTION DIVISION

CASE NO. 07-43672 CA 09

STATE OF FLORIDA, OFFICE OF  
FINANCIAL REGULATION

Plaintiff,

v.

BERMAN MROTGAGE 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.

THE ORIGINAL  
FILED ON:  
APR 16 2010  
IN THE OFFICE OF  
CIRCUIT COURT DADE CO., FL

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**REQUEST FOR JUDICIAL NOTICE**

In anticipation of the evidentiary hearing set before the Court on April 28, 2010<sup>1</sup>, Michael I. Goldberg, as Receiver over the Defendants and Relief Defendant, Oceanside Acquisitions, LLC by and through their undersigned counsel, and pursuant to Florida Statutes Sections 90.202 and 90.203, hereby

<sup>1</sup> RECEIVER'S MOTION FOR AN ORDER APPROVING THE RECEIVER'S EXECUTION OF SALES CONTRACTS FOR THE SALE OF TWO CONDOMINIUM UNITS OWNED BY RELIEF DEFENDANT, OCEANSIDE ACQUISITIONS, LLC

PLAINTIFF'S MOTION TO STAY ORDER DATED SEPTEMBER 1, 2009 PENDING APPEAL (Motion filed in Miami-Dade County Circuit Court Case No. 08-79168-CA-09 - *Bistricher v. Coastal*)

BERGER SINGERMAN  
2753386-1 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

requests that this Court take judicial notice of the Pasco County, Florida Tax Collector public records attached as Exhibits "A" and "B" hereto as follows:

- A. Copy of Pasco County Tax Collector records showing the outstanding taxes due on 6035 Sea Ranch Drive, Hudson, FL 34667-1527, Unit #610 for years, 2006, 2007, 2008 and 2009.
- B. Copy of Pasco County Tax Collector records showing the outstanding taxes due on 6035 Sea Ranch Drive, Hudson, FL 34667-1527, Unit #706 for years, 2006, 2007, 2008 and 2009.

Section 90.202, Florida Statutes provides that a court may take judicial notice of the following matters:

- (11) Facts that are not subject to dispute because they are generally known within the territorial jurisdiction of the court.
- (12) Facts that are not subject to dispute because they are capable of accurate and ready determination by resort to sources whose accuracy cannot be questioned.

Judicial notice of a matter outlined in section 90.202 is compulsory upon a party's compliance with section 90.203 of the Florida Statutes. Section 90.203 provides that

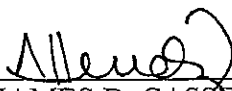
"[a] court shall take judicial notice of any matter in s. 90.202 when a party requests it and (1) Gives each adverse party timely written notice of the request, proof of which is filed with the court, to enable the adverse party to prepare to meet the request; (2) Furnishes the court with sufficient information to enable it to take judicial notice of the matter."

WHEREFORE, the Receiver, Michael I. Goldberg, as Receiver over Oceanside Acquisitions, LLC, requests this Court to take judicial notice of the above referenced matters.

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail on this 15<sup>th</sup> day of April, 2010, to the attached Service List.

Respectfully submitted,

**BERGER SINGERMAN**  
*Attorneys for Receiver, Michael Goldberg*  
1000 Wachovia Financial Center  
200 South Biscayne Boulevard  
Miami, Florida 33131  
Phone: (305) 755-9500 / Fax: (305) 714-4340

By:   
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**SERVICE LIST**

<p><b>Cristina Saenz</b>  <b>Assistant General Counsel</b>          STATE OF FLORIDA          OFFICE OF FINANCIAL REGULATION          401 N.W. 2<sup>nd</sup> Avenue, Suite N-708          Miami, FL 33128</p>	<p><b>Alan M. Sandler, Esquire</b>  <i>Counsel for Joel and Deborah Sokol,          Darlene Levasser, Robert Dzimidis IRA,          Lawrence Meyer IRA, Lawrence Meyer Roth IR          Mary Joe Meyer SD IRA; Mary Joe Meyer Roth          IRA</i>          SANDLER &amp; SANDLER          117 Aragon Avenue          Coral Gables, FL 33134</p>
<p><b>Charles W. Throckmorton, Esquire</b>  <i>Attorneys for Dana Berman</i>          KOZYAK TROPIN THROCKMORTON, P.A.          2525 Ponce de Leon Boulevard, 9<sup>th</sup> Floor          Coral Gables, FL 33134</p>	<p><b>Paul Huck, Esquire</b>  <b>Dean C. Colson, Esquire</b>          COLSON HICKS EIDSON          255 Aragon Avenue, Second Floor          Coral Gables, FL 33134</p>
<p><b>Jason S. Miller, Esquire</b>  <i>Counsel for Flagstar Bank</i>          ADORNO &amp; YOSS, LLP          2525 Ponce de Leon Boulevard, Suite 400          Coral Gables, FL 33134</p>	<p><b>Maurice Baumgarten, Esquire</b>          ANANIA, BANDKLAYDER, BLACKWELL,          BAUMGARTEN, TORRICELLA &amp; STEIN          Bank of America Tower – Suite 4300          100 SE 2<sup>nd</sup> Street          Miami, FL 33131</p>
<p><b>Mark A. Basurto, Esquire and Charles Evans          Glausier, Esquire, Attorneys for Gulf Island Beach          and Tennis Club Condominium Association, Inc.</b>          BUSH ROSS, P.A.          Post Office Box 3913          Tampa, Florida 33601-3913</p>	<p><b>Charles L. Neustein, Esquire</b>          CHARLES L. NEUSTEIN, P.A.          777 Arthur Godfrey Road, Second Floor          Miami Beach, FL 33140</p>
<p><b>William Dufoe, Esquire</b>  <b>Robert W. Lang, Esquire</b>          HOLLAND &amp; KNIGHT, LLP          100 North Tampa Street, Suite 4100          Tampa, FL 33602</p>	<p><b>Deborah Poore Fitzgerald, Esquire</b>          WALTON LANTAFF SCHROEDER          &amp; CARSON, LLP          Corporate Center, Suite 2000          100 East Broward Boulevard          Fort Lauderdale, FL 33301</p>
<p><b>Peter Valori, Esquire</b>          DAMIAN &amp; VALORI, LLP          1000 Brickell Avenue, Suite 1020          Miami, FL 33131</p>	<p><b>Christopher S. Linde, Esquire</b>          BURR FORMAN          450 S. Orange Avenue          Suite 200          Orlando, Florida 32801</p>

cc: The Honorable Jerald Bagley (*via U.S. Mail*)  
 Michael Goldberg, Esq., as Receiver (*via e-mail*)  
 The Investor(s)/Lender(s) Group (*via e-mail*)  
 Posted to the Berman Mortgage Website  
 Jeannie Reporting (*via e-mail*)

# Mike Olson TAX COLLECTOR PASCO COUNTY FLORIDA

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## Real Estate Property Search Results

CURRENT AS OF: 04/13/2010 19:01:46

<b>*** THE INFORMATION CONTAINED HEREIN DOES NOT CONSTITUTE A TITLE SEARCH AND SHOULD NOT BE RELIED ON AS SUCH. ADDITIONAL LIENS AND DELINQUENCIES MAY EXIST THAT ARE NOT INCLUDED BELOW. THE PASCO COUNTY TAX COLLECTOR ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED. ALL FIGURES ARE SUBJECT TO CHANGE OR CORRECTION.(SEE FLORIDA STATUTE 197.122)</b>				
<b>Parcel ID</b>	<b>2009 Tax Year</b>			
33 24 16 0360 00000	ASSESSED VALUE			<b>183,784</b>
6010	HMSTD EXEMPT			
<b>Owner of Record</b>	ADD'L HMSTD EX			
OCEANSIDE	OTHER EXEMPT			
ACQUISITIONS LLC	NON-SCH TAX VALUE			<b>183,784</b>
501 CONTINENTAL PLAZA	SCHOOL TAX VALUE			<b>183,784</b>
3250 MARY ST	AREA			6200
COCONUT GROVE FL	MILLAGE			<u>15.66930</u>
33133-5232	GROSS TAX			
<b>Physical Address</b>	(INCLUDING SPECIAL DISTRICTS)			<b>2,974.52</b>
6035 SEA RANCH DR	<b>Special Districts</b>			
<b>Legal Description</b> (First 4 Lines)	SOLID WASTE			47.74
GULF ISLAND BEACH & TENNIS	PASCO COUNTY STREETLIGHT			
CLUB I A CONDOMINIUM	PASCO COUNTY STORMWATER			47.00
PER	<b>Current Tax</b>			
OR 1381 PG 932 &	<b>AMOUNT DUE IF RECEIVED BY</b>			
OR 3300 PG 202 &	<b>04/30/10 3,063.76</b>			
<b>Mail To Information</b>	<b>AMOUNT DUE IF RECEIVED BY</b>			
SAME AS ABOVE	<b>05/17/10 3,066.76</b>			
<b>Escrow Code</b>	DATE	RECEIPT	AMOUNT PAID	
NONE				
	<b>Tax Lien (Homestead Denial)</b>			
	NONE			
<b>Unpaid Delinquent Taxes</b>				
<b>TAX YEAR</b>	<b>CERTIFICATE NUMBER</b>	<b>BUYER NUMBER</b>	<b>IF RECEIVED BY:</b>	
			<b>04/30/10</b>	<b>05/28/10</b>
2008	0810450	<u>993</u>	\$4,738.08	\$4,799.01
2007	0709107	<u>10490</u>	\$5,108.14	\$5,134.38
2006	0606206	<u>1077</u>	\$5,045.36	\$5,045.36
PLEASE REMIT PAYMENT BY MONEY ORDER, CASHIERS CHECK, WITHDRAWAL CHECK OR OTHER OFFICIAL CHECK. PERSONAL AND				

BUSINESS CHECKS WILL BE RETURNED, WHICH MAY RESULT IN ADDITIONAL INTEREST. NOTE: BUSINESS CHECKS OF ATTORNEYS, BANKS, TITLE COMPANIES AND CLOSING AGENTS WILL CONTINUE TO BE ACCEPTED.

PAY REAL ESTATE TAXES



VISA NOT ACCEPTED

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Appraiser's Map

Delinquent Map

Delinquent Map Information

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		<a href="#">Tax</a>		<a href="#">Driver License</a>		<a href="#">Motor Vehicle</a>
				<a href="#">Boat</a>		<a href="#">Business Tax Receipt</a>
						<a href="#">Fishing/Hunting License</a>

<b>Data Current as Of:</b>		Weekly Archive - Saturday, April 10, 2010						
<b>Parcel ID</b>		33-24-16-0360-00000-6010 (Card: 001 of 001)						
<b>Classification</b>		04 - Condominium						
<b>Mailing Address</b> OCEANSIDE ACQUISITIONS LLC 501 CONTINENTAL PLAZA 3250 MARY ST COCONUT GROVE FL 33133-5232				<b>Final 2009 Value</b>				
<b>Physical Address</b> 6035 SEA RANCH DR 601 HUDSON FL 34667-1526				Ag Land \$0 Land \$38,999 Building \$144,785 Extra Features \$0 <b>Market Value \$183,784</b> Assessed (Non-School Amendment 1) \$183,784 <b>Taxable Value \$183,784</b>				
<b>Legal Description</b> (First 4 Lines) GULF ISLAND BEACH & TENNIS CLUB I A CONDOMINIUM PER OR 1381 PG 932 & OR 3300 PG 202 &								
<b>Land Detail</b> (Card: 001 of 001)								
Line	Use	Description	Zoning	Units	Type	Price	Condition	Value
1	0400	CONDO	OMF1	1.00	UT	\$38,999.00	1.00	\$38,999
<b>Additional Land Information</b>								
<b>Acres</b>	0.00	<b>Tax Area</b>	6200	<b>FEMA Code</b>	--	<b>Residential Code</b>	4GIS	
<b>Building Information - Use 04 - Condominium</b> (Card: 001 of 001)								
<b>Year Built</b>	1984	<b>Stories</b>	1.0					
<b>Exterior Wall 1</b>	Concrete Block Stucco	<b>Exterior Wall 2</b>	None					
<b>Roof Structure</b>	Rigid Frame w/Bar Joist	<b>Roof Cover</b>	Built-Up Tar and Gravel					
<b>Interior Wall 1</b>	Drywall	<b>Interior Wall 2</b>	None					
<b>Flooring 1</b>	Ceramic Clay Tile	<b>Flooring 2</b>	Carpet					
<b>Fuel</b>	Electric	<b>Heat</b>	Forced Air - Ducted					
<b>A/C</b>	Central	<b>Baths</b>	2.0					
Line	Description	Sq. Feet	Repl. Cost New					
1	BAS	1,236	\$0					
2	FOP	189	\$0					
<b>Extra Features</b> (Card: 001 of 001)								
Line	Description	Year	Units	Value				
1	FOP	1984	189	\$685				
2	CONDO	1984	1	\$144,100				
<b>Sales History</b>								
<b>Previous Owner</b>		GULF OF MEXICO ENTERPRISES INC						
Year	Month	Book/Page	Type	Amount				
2003	02	5247 / 1815	WD	\$0				
2001	10	4774 / 1842	WD	\$0				
1996	10	3661 / 1610	QC	\$0				

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<b>Parcel ID</b>	<b>2009 Tax Year</b>			
33 24 16 0360 00000	ASSESSED VALUE			<b>183,784</b>
7060	HMSTD EXEMPT			
<b>Owner of Record</b>	ADD'L HMSTD EX			
NOVAK KEITH L	OTHER EXEMPT			
60 EDGEWATER DR PH	NON-SCH TAX VALUE			<b>183,784</b>
2F	SCHOOL TAX VALUE			<b>183,784</b>
CORAL GABLES FL	AREA			6200
33133-6970	MILLAGE			<u>15.66930</u>
<b>Physical Address</b>	GROSS TAX			
6035 SEA RANCH DR	(INCLUDING SPECIAL DISTRICTS)			<b>2,974.52</b>
<b>Legal Description</b> (First 4 Lines)	<b>Special Districts</b>			
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CLUB I A CONDOMINIUM PER	PASCO COUNTY STREETLIGHT			
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<b>Mail To Information</b>	<b>Current Tax</b>			
SAME AS ABOVE	<b>AMOUNT DUE IF RECEIVED BY</b>			
<b>Escrow Code</b>	<b>04/30/10 3,063.76</b>			
NONE	<b>AMOUNT DUE IF RECEIVED BY</b>			
	<b>05/17/10 3,066.76</b>			
	DATE	RECEIPT	AMOUNT PAID	
	<b>Tax Lien (Homestead Denial)</b>			
	NONE			
<b>Unpaid Delinquent Taxes</b>				
<b>TAX YEAR</b>	<b>CERTIFICATE NUMBER</b>	<b>BUYER NUMBER</b>	<b>IF RECEIVED BY:</b>	
			<b>04/30/10</b>	<b>05/28/10</b>
<b>2008</b>	<b>0810451</b>	<b>993</b>	<b>\$4,809.08</b>	<b>\$4,870.92</b>
<b>2007</b>	<b>0709108</b>	<b>10497</b>	<b>\$5,238.65</b>	<b>\$5,265.56</b>
<b>2006</b>	<b>0606208</b>	<b>1077</b>	<b>\$5,176.23</b>	<b>\$5,176.23</b>
PLEASE REMIT PAYMENT BY MONEY ORDER, CASHIERS CHECK, WITHDRAWAL CHECK OR OTHER OFFICIAL CHECK. PERSONAL AND				

R



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**PAY REAL ESTATE TAXES**



**VISA NOT ACCEPTED**

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**PAYMENT HISTORY** NEW

**Appraiser's Information**

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**Delinquent Map Information**

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		<b>Tax</b>		<b>Driver License</b>		<b>Motor Vehicle</b>
				<b>Boat</b>		<b>Business Tax Receipt</b>
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<b>Parcel ID</b>		33-24-16-0360-00000-7060 (Card: 001 of 001)						
<b>Classification</b>		04 - Condominium						
<b>Mailing Address</b> OCEANSIDE ASQUISITIONS LLC 2401 DOUGLAS RD MIAMI FL 33145-3045 <b>Physical Address</b> 6035 SEA RANCH DR 706 HUDSON FL 34667-1526				<b>Final 2009 Value</b> Ag Land \$0 Land \$38,999 Building \$144,785 Extra Features \$0 <b>Market Value \$183,784</b> Assessed (Non-School Amendment 1) \$183,784 <b>Taxable Value \$183,784</b>				
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<b>Additional Land Information</b>								
<b>Acres</b>	0.00	<b>Tax Area</b>	6200	<b>FEMA Code</b>	VE	<b>Residential Code</b>	4GIS	
<b>Building Information - Use 04 - Condominium (Card: 001 of 001)</b>								
<b>Year Built</b>	1984	<b>Stories</b>	1.0	<b>Exterior Wall 1</b>	Concrete Block Stucco	<b>Exterior Wall 2</b>	None	
<b>Roof Structure</b>	Rigid Frame w/Bar Joist	<b>Roof Cover</b>	Built-Up Tar and Gravel	<b>Interior Wall 1</b>	Drywall	<b>Interior Wall 2</b>	None	
<b>Flooring 1</b>	Ceramic Clay Tile	<b>Flooring 2</b>	Carpet	<b>Fuel</b>	Electric	<b>Heat</b>	Forced Air - Ducted	
<b>A/C</b>	Central	<b>Baths</b>	2.0					
Line	Description	Sq. Feet	Repl. Cost New					
1	BAS	1,236	\$0					
2	FOP	189	\$0					
<b>Extra Features (Card: 001 of 001)</b>								
Line	Description	Year	Units	Value				
1	FOP	1984	189	\$685				
2	CONDO	1984	1	\$144,100				
<b>Sales History</b>								
<b>Previous Owner</b>		NOVAK KEITH L						
Year	Month	Book/Page	Type	Amount				
2010	01	8263 / 1248	QC	\$0				
2007	08	7705 / 1420	QC	\$0				
2003	02	5247 / 1815	WD	\$0				