

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,

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 AMENDMENT TO RECEIVER'S MOTION FOR AUTHORIZATION
TO MODIFY RECEIVERSHIP ESTATE'S INTEREST IN THE MAMC WINDWARD
MORTGAGE AND TO ABANDON RELIEF DEFENDANT MAMC WINDWARD LLC
AND DEFINE THE INVESTOR CLASS WHO MAY PARTICIPATE IN
ANY RECOVERY IN THE MAMC WINDWARD MORTGAGE**

Michael I. Goldberg, the receiver over Defendants Berman Mortgage Corporation ("BMC"), M.A.M.C. Incorporated ("MAMC"), *et al.*, and Relief Defendants DB Atlanta, LLC, *et al.* (the "Receiver"), gives notice that following the filing of the Receiver's Motion for Authorization to Modify the Receivership Estate's Interest in The MAMC Windward Mortgage¹, to Abandon Relief Defendant MAMC Windward, LLC and to Modify the Interests of the

¹ Capitalized terms not defined herein shall have those meanings ascribed to them in the Receiver's Motion for Authorization to Modify Receivership Estate's Interest in the MAMC Windward Mortgage and to Abandon Relief

Investors in that certain loan serviced by MAMC, Incorporated in which MAMC Windward, LLC is the borrower (the "Motion"), certain of the MAMC Lenders secured the agreement of Bart Houston of Genovese Joblove & Battista, P.A. to undertake the representation of the MAMC Lenders in the Foreclosure Case for a fixed fee, inclusive of attorneys' fees and costs, of \$75,000.00. Accordingly, at the hearing on December 1, 2010, the approval of the Motion as reflected in the Order, is contingent upon Genovese Joblove & Battista, P.A. undertaking representation of the MAMC Lenders effective December 1, 2010, and the MAMC Lenders funding \$75,000.00 in escrow in the Litigation Fund by December 3, 2010.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail on this **1st day of December, 2010**, to the attached service list.

Respectfully submitted,

BERGER SINGERMAN

Attorneys for Receiver, Michael Goldberg

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By: 

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Defendant MAMC Windward LLC and Define the Investor Class Who May Participate in any Recovery in the MAMC Windward Mortgage.

SERVICE LIST

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cc: Michael Goldberg, Esq., as Receiver *(via e-mail)*
The Investor(s)/Lender(s) Group *(via e-mail)*
Posted to the Berman Mortgage Website

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