

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 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.

REQUEST FOR JUDICIAL NOTICE

In anticipation of the hearing set before the Court on June 8, 2011 on the *Receiver's Motion for an Order Approving the Receiver's Execution of Sales Contracts for the Sale of Additional Condominium Units Owned by Relief Defendant, Oceanside Acquisitions, LLC*, 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 §§ 90.202 and 90.203, hereby requests this Court take judicial

notice of the *Third District Court of Appeal Order denying appellants' motion for rehearing* attached as **Exhibit A**.

Section 90.202(6), Florida Statutes provides that a court may take judicial notice of the records of any court of this state or of any court of record of the United States or of any state, territory, or jurisdiction of the United States.

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) [g]ives 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) [f]urnishes 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 matter.

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: _____

JAMES D. GASSENHEIMER

Florida Bar No. 959987

for E-Mail: jgassenheimer@bergersingerman.com

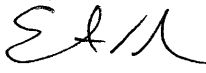
MONICA F. ROSSBACH

Florida Bar No. 13641

E-Mail: mrossbach@bergersingerman.com

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail on this 13th day of May, 2011, to the attached Service List.


For _____
Monica F. Rossbach

Cristina Saenz Assistant General Counsel STATE OF FLORIDA OFFICE OF FINANCIAL REGULATION 401 N.W. 2 nd Avenue, Suite N-708 Miami, FL 33128	Alan M. Sandler, Esquire SANDLER & SANDLER 117 Aragon Avenue Coral Gables, FL 33134
Charles W. Throckmorton, Esquire KOZYAK TROPIN THROCKMORTON, P.A. 2525 Ponce de Leon Boulevard, 9 th Floor Coral Gables, FL 33134	Paul Huck, Esquire Dean C. Colson, Esquire COLSON HICKS EIDSON 255 Aragon Avenue, Second Floor Coral Gables, FL 33134
Jason S. Miller, Esquire ADORNO & YOSS, LLP 2525 Ponce de Leon Boulevard, Suite 400 Coral Gables, FL 33134	Maurice Baumgarten, Esquire ANANIA, BANDKLAYDER, BLACKWELL, BAUMGARTEN, TORRICELLA & STEIN Bank of America Tower – Suite 4300 100 SE 2 nd Street Miami, FL 33131 (Courtesy Copy E-Mailed to Counsel)
Mark A. Basurto, Esquire Charles Evans Glausier, Esquire, BUSH ROSS, P.A. Post Office Box 3913 Tampa, Florida 33601-3913	Charles L. Neustein, Esquire CHARLES L. NEUSTEIN, P.A. 777 Arthur Godfrey Road, Second Floor Miami Beach, FL 33140
William Dufoe, Esquire Robert W. Lang, Esquire HOLLAND & KNIGHT, LLP 100 North Tampa Street, Suite 4100 Tampa, FL 33602	Deborah Poore Fitzgerald, Esquire WALTON LANTAFF SCHROEDER & CARSON, LLP Corporate Center, Suite 2000 100 East Broward Boulevard Fort Lauderdale, FL 33301
Peter Valori, Esquire DAMIAN & VALORI, LLP 1000 Brickell Avenue, Suite 1020 Miami, FL 33131	Christopher S. Linde, Esquire BURR FORMAN 450 S. Orange Avenue Suite 200 Orlando, Florida 32801

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

3658456-1

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JANUARY TERM, A.D. 2011
MAY 6, 2011

ALEX BISTRICER, ETC., ET
AL.,
Appellant(s)/Petitioner(s),

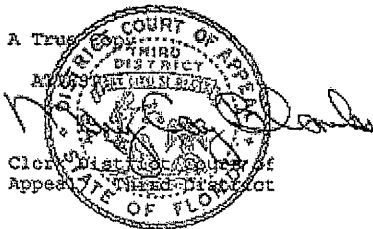
CASE NO.: 3D09-3002

vs.

COASTAL REAL ESTATE
ASSOCIATES, INC., ET AL.,
Appellee(s)/Respondent(s).

LOWER
TRIBUNAL NO. 08-79169

Upon consideration, appellants' motion for rehearing is
hereby denied. SHEPHERD, SUAREZ and ROTHENBERG, JJ., concur.



cc:
Maurice J. Baumgarten
Stacy D. Blank
Deborah Poore Fitzgerald
James D. Gassenheimer

la

