

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

STATE OF FLORIDA, OFFICE OF
FINANCIAL REGULATION,

CASE NO. 07-43672 CA 09

Plaintiff,

vs.

BERMAN MORTGAGE CORPORATION,
a Florida corporation, M.A.M.C.
INCORPORATED, a Florida corporation,
and DANA J. BERMAN, as Owner and
Managing Member,

Defendants,

and

DB ATLANTA, LLC, a Florida Limited
Liability Company, et al.

Relief Defendants.

**ORDER GRANTING RECEIVER'S (I) AGREED AMENDED MOTION
FOR APPROVAL OF SETTLEMENT AGREEMENT WITH ATLANTIC
BEACH OCEANFRONT, LLC, SEVENTH STREET PROPERTIES, LLC,
FRANK T. GADAMS, AND MATTHEW J. GADAMS AND TO
AUTHORIZE THE RECEIVER TO EXECUTE THE SETTLEMENT
AGREEMENT ON BEHALF OF ALL LENDERS; (II) MOTION
TO MAKE FIRST PRIORITY LOAN TO THE ATLANTIC BEACH
PROJECT; AND (III) FOR AUTHORITY TO RETAIN
SMITH MOORE LEATHERWOOD AS SPECIAL COUNSEL**

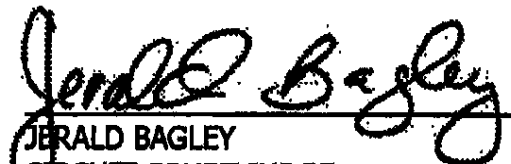
THIS MATTER came before the Court on August 17, 2011, upon the (I) Agreed Amended Motion for Approval of Settlement Agreement with Atlantic Beach Oceanfront, LLC, Seventh Street Properties, LLC, Frank T. Gadams and Matthew J. Gadams and to Authorize the Receiver to Execute Settlement Agreement on Behalf of All Lenders; (II) Motion to Make First Priority Loan to the Atlantic Beach Project; and (III) for Authority to Retain Smith Moore

Leatherwood as Special Counsel ("Motion"), filed by Michael I. Goldberg ("Receiver"), as Court Appointed Receiver over Defendants Berman Mortgage Corporation and M.A.M.C. Incorporated and Relief Defendants DB Atlanta, LLC, et al. The Court, having reviewed the Motion, heard argument of counsel, finding that notice of the Motion has been provided to all of the lenders (the "Atlantic Beach Lenders") on the Atlantic Beach Project (as defined in the Motion) and further finding that good cause exists for entry of this Order, does hereby:

ORDER and ADJUDGE that the Motion is Granted. The Court authorizes the Receiver:

1. To execute the Settlement Agreement (as revised) on behalf of the Atlantic Beach Lenders and to further execute any documents and take any actions reasonably necessary to consummate the transactions contemplated therein.
2. To loan up to \$100,000 to the Atlantic Beach Project from money he holds in trust, for the purpose of funding a share of litigation costs, payment of taxes and carrying costs to preserve the Atlantic Beach Project.
3. To retain Smith Moore Leatherwood LLP as special counsel under the terms more fully described in the Motion.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, on 08/18/11
4:50 PM.


JERALD BAGLEY
CIRCUIT COURT JUDGE

The movant shall, using any method(s) mandated by the Florida Rules of Civil Procedure serve all parties/counsel of record with a true and correct copy of this Order IMMEDIATELY and file proof of service with the Clerk.

Signed and stamped original Order sent to court file by Judge Bagley's staff.
Electronic copy furnished ONLY to any below listed recipient(s) by facsimile whose
facsimile number(s) is/are CORRECTLY FORMATTED and listed herein.

Copies furnished to

[Fax: Michael Goldberg@1-954-463-2224]