

IN THE CIRCUIT COURT OF THE
11TH JUDICIALCIRCUIT IN AND FOR
MIAMI -DADE COUNTY, FLORIDA

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.

THE ORIGINAL
FILED ON:
FEB 05 2008
IN THE OFFICE OF
CIRCUIT COURT DADE CO. FL.

**RECEIVER'S MOTION FOR COURT
APPROVAL TO SELL UNIT 163-5 AT AVANTI**

Receiver, Michael Goldberg, by and through undersigned counsel, files this motion to approve the sale of unit 163-5 at Avanti, and as grounds therefore states as follows:

1. Michael Goldberg, as Court Appointed Receiver of the assets of the Relief Defendants, seeks authority from this Court to enter into a Purchase and Sale Agreement and sell one of the assets of Normandy Holdings II, Avanti Unit 163-5.
2. Normandy Holding II, LLC is a real estate development company owned and operated by Dana Berman.
3. The capital structure of the entity includes loans from third-party financial institutions and financing and equity positions held by the Investor Group.

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4. Nine units remained unsold in the Avanti project of Normandy Holdings II and an effort was made to sell these units pre-receivership through auction. Through the auction process bids of \$410,000.00 were received on two units. Before the institution of the Receivership, the principals of Normandy Holdings II agreed to sell a total of four units at the price determined by auction. Three have closed, one remains pending. The Receiver held a meeting with those members of the Investor Group who are impacted by the sale of this unit through the auction process. The investors have agreed to allow this last contract to close, and the Receiver now seeks court approval for the closing.

5. The Receiver disclosed at the meeting, and now discloses that the unit is being sold for Three Hundred and Fifty Thousand Dollars less than the original marketed price.

6. Absent objection, Receiver seeks court order authorizing the sale of this unit for \$410,000.00.

WHEREFORE, the Receiver moves for the aforementioned relief.

Respectfully submitted,

BERGER SINGERMAN
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By: _____


JAMES D. GASSENHEIMER
Florida Bar No. 959987

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Facsimile and/or U.S. Mail on this **5th day of February 2008**, to: **Cristina Saenz, Assistant General Counsel**, STATE OF FLORIDA, OFFICE OF FINANCIAL REGULATION, 401 N.W. 2nd Avenue, Suite N-708, Miami, Florida 33128; to **Alan M. Sandler, Esquire, Counsel for Defendants, Joel and Deborah Sokol, Darlene Levasser, Robert Dzimidas IRA, Lawrence Meyer IRA, Lawrence Meyer Roth IRA and Mary Joe Meyer SD IRA and Mary Joe Meyer Roth IRA**, of SANDLER & SANDLER, 117 Aragon Avenue, Coral Gables, Florida 33134; to **Allan A. Joseph, Esquire, Counsel for The Amid Companies and Amedia Family Investors**, DAVID AND JOSEPH, P.L., 1001 Brickell Avenue, Suite 2002, Miami, Florida 33131; to **Richard R. Robles, Esquire, LAW OFFICES OF RICHARD ROBLES, P.A., Counsel for the Four Ambassadors Association, Inc.**, 905 Brickell Bay Drive, Tower II, Mezzanine, Suite 228, Miami, Florida 33131, and to **Halsey G. Knapp, Jr., Esquire, and/or Mitchell T. Bagwell, Esquire, Counsel for Allen & Overy, LLP, FOLTZ MARTIN, LLC, 5 Piedmont Center, Suite 750, Atlanta, Georgia 30305-1541.**

BY: _____

JAMES D. GASSENHEIMER

cc: The Honorable Thomas Wilson, Jr. *(via hand-delivery)*
Michael Goldberg, Esq., as Receiver *(via email)*
The Group of Lenders *(via email)*
Pinecrest Title *(via email)*

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