

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

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,

Defendant,

and

DB ATLANTA, LLC, a Florida limited  
liability company, et al.,

Relief Defendants.

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**ORDER GRANTING RECEIVER'S MOTION FOR AUTHORITY TO ENTER INTO  
EXCLUSIVE LISTING AGREEMENTS WITH MARCUS & MILLICHAP,  
TO MARKET AND SELL (I) THE PROPERTY OWNED BY  
MAMC EMERALD CAY, LLC AND (II) THE HAINES CITY PROPERTY  
(OWNED BY THE RECEIVERSHIP ESTATE), NUNC PRO TUNC**

THIS MATTER came before the Court on February 25, 2015, at the hearing on the *Motion for Authority to Enter Into Exclusive Listing Agreements with Marcus & Millichap, to Market and Sell (I) the Property Owned by MAMC Emerald Cay, LLC and the Haines City Property (owned by the Receivership Estate), Nunc Pro Tunc* (the "Motion"), filed by Michael I. Goldberg, the receiver (the "Receiver") over Defendants, Berman Mortgage Corporation, 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 the notice and established procedures of posting to the Receivership website and e-mail distribution to the Lenders constitutes adequate notice of this Motion, the hearing thereon and this Order, and being otherwise fully advised in the premises, does:

**ORDER AND ADJUDGE that:**

1. The Motion is **GRANTED**.
2. The Receiver is authorized to enter into (i) the Exclusive Listing Agreement for the Emerald Cay Property and (ii) the Exclusive Right of Sale Agreement for the Haines City Property with Marcus & Millichap, *nunc pro tunc* to January 7, 2015, to market and sell the Emerald Cay Property and the Haines City Property. The Receiver is further authorized to execute any documents and take any actions reasonably necessary to consummate the transactions contemplated therein.

**DONE AND ORDERED** in Chambers in Miami-Dade County, Florida on this 25 day of February, 2015.

  
**THE HONORABLE JERALD BAGLEY**  
**CIRCUIT COURT JUDGE**

**JUDGE JERALD BAGLEY**

**Conformed copies to:**

All counsel of record  
Posted to the Receiver's Web Site  
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Conformed Copy

FEB 25 2015

Jerald Bagley  
Circuit Court Judge