

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

**CIRCUIT CIVIL 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.

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**ORDER GRANTING RECEIVER'S MOTION FOR AUTHORITY TO PAY  
SPECIAL COUNSEL PURSUANT TO CONTINGENCY FEE AGREEMENT**

THIS MATTER came before the Court on April 6<sup>th</sup> 2015 at the hearing on the *Motion for Authority to Pay Special Counsel Pursuant to Contingency Fee Agreement* (the "Motion"), filed by Michael I. Goldberg, the receiver (the "Receiver") for 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 pay Special Counsel, David and Joseph, P.L., n/k/a Fuerst Ittleman David & Joseph, PL the sum of 35% of the total recovery of monies for claims covered under certain errors and omissions policies, recovered pursuant to the confidential settlement approved by this Court on January 26, 2015.
3. Payment to Special Counsel shall be inclusive of all costs and expenses due to Special Counsel from the proceeds of the recovery, and shall be made upon the Receiver's receipt of such proceeds.

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

APR 06 2015

Jerald Bagley  
Circuit Court Judge

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

**Conformed copies to:**  
All counsel of record  
Posted to the Receiver's Web Site