

**IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY,
FLORIDA**

CASE NO. 09-18747-CA (05)

GERARD R. COLLINS, and Additional
Lenders organized by M.A.M.C.
Incorporated, and M.A.M.C., Incorporated,
a Florida corporation,

Plaintiffs,

v.

V-STRATEGIC GROUP, LLC, a Florida
limited liability company, JUAN CARLOS
VENTURA, an individual and JOSE M.
VENTURA, an individual,

Defendants.

AGREED

**ORDER GRANTING RECEIVER'S MOTION TO TRANSFER CASE
TO THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY AND TO
CONSOLIDATE CASE INTO CASE NO. 2012-038306-CA-01**

THIS MATTER came before the Court on July 8, 2015, upon the *Motion to Transfer Case* (the "Motion") filed by Michael I. Goldberg, the receiver (the "Receiver") for Plaintiff M.A.M.C. Incorporated ("MAMC").¹ The Court has reviewed the Motion and has considered the following facts:

A. This case (the "Foreclosure Case") originally contained three causes of action: Count I – Foreclosure against Defendant V-Strategic, LLC ("V-Strategic"); Count II - Breach of

¹ Michael I. Goldberg is the Receiver for MAMC pursuant to that certain *Temporary Injunction and Agreed Order Appointing Receiver*, dated December 11, 2007 entered by the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (the "Receivership Court") in *State of Florida, Office of Financial Regulation v. Berman Mortgage Corporation, et al.*, Case No. 07-43672 CA 09 (the "Receivership Case").

Promissory Note against Defendant V-Strategic; and Count III - Breach of Guaranty against Defendants Juan Ventura and Jose Ventura, the Guarantors of the V-Strategic loan.

B. On November 12, 2009, upon the Plaintiffs' Motion for Partial Summary Judgment on Counts I and II, this Court entered a Partial Final Judgment in favor of the Plaintiffs. The foreclosure sale took place on July 28, 2010. The only remaining cause of action in the Foreclosure Case is the breach of guaranty against the Guarantors.

C. The individual plaintiffs (the "Lenders") engaged the Law Offices of Robert L. Parks PL to recover the remaining amounts owed to them on the V-Strategic loan. On September 27, 2012, the Lenders filed a Complaint against the Guarantors in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, Case No. 2012-038306-CA-01 (the "Contract Indebtedness Case").

D. The Lender Plaintiffs and the Guarantors consent to the transfer of the remaining portion of the Foreclosure Case to Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, and into the Contract Indebtedness Case.

The Court, being advised of the consent of all parties to transfer the Foreclosure Case into the Contract Indebtedness Case, finding that based on convenience of parties and in interest of justice good cause exists to transfer the Foreclosure Case, and being otherwise fully advised in the premises, it is

ORDERED that:

1. The Motion is GRANTED.
2. The Broward County Clerk of the Court is directed to transfer this case to the Circuit Court of the Eleventh Judicial Circuit Court in and for Miami-Dade, County, Florida.

3. A new case number shall not be assigned. Rather, the Miami-Dade Clerk of the Court is directed to consolidate this case into Case No. 2012-038306-CA-01.

4. Plaintiff's counsel shall be responsible for payment of any transfers fees.

DONE AND ORDERED in Chambers in Broward County, Florida on this ____ day of _____, 2015.

LYNN ROSENTHAL

JUL 08 2015

CIRCUIT COURT JUDGE

Conformed copies to:

Joan M. Levit, Esq.

Anthony Lopez, Esq.