

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,

Defendants,

and

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

Relief Defendants.

**ORDER GRANTING RECEIVER'S MOTION TO (I) EXPAND RECEIVERSHIP TO
INCLUDE MAMC IBEX, LLC, AS A RELIEF DEFENDANT (II) APPROVE THE
TRANSFER OF REAL PROPERTY TO MAMC IBEX, LLC, AND
(III) LOAN FUNDS TO MAMC IBEX, LLC**

THIS MATTER came before the Court on January 30, 2013 for consideration of the receiver, Michael I. Goldberg's (the "Receiver") Motion to (I) Expand Receivership to Include MAMC IBEX, LLC, as a Relief Defendant (II) Approve the Transfer of Real Property to MAMC IBEX, LLC, and (III) Loan Funds to MAMC IBEX, LLC (the "Motion"). The Court, having reviewed the Motion, being advised that notice was provided to all interested parties, each of whom have no opposition to the entry of this Order and being otherwise fully advised in the premises, makes the following findings:

1. All Defendants and other interested parties in this action have received notice of the Motion.

2. The assignment of the Lenders¹ interest in the Deed of Trust, Promissory Note, Assignment of Leases and Rentals and other loan documents, as modified (collectively, the "IBEX Loan Documents") to MAMC IBEX, LLC is in the best interest of the receivership estate.

3. Further the transfer from IBEX Cheoah, I, LLC's ("IBEX") of property which secures the IBEX Loan Documents, and is comprised of approximately 137 acres of real property located in the Cochrans Creek area of Yellow Creek Township, Graham County, Robbinsville, North Carolina (the "Property") (as more fully described in the Loan Documents) to MAMC IBEX, LLC, for the benefit of the Lenders, is in the best interest of the receivership estate.

Based upon these findings, it is therefore **ORDERED AND ADJUDGED** that:

1. The Receiver's Motion is **GRANTED**.

2. The Receiver is authorized to expand the receivership to include MAMC IBEX, LLC as a Relief Defendant.

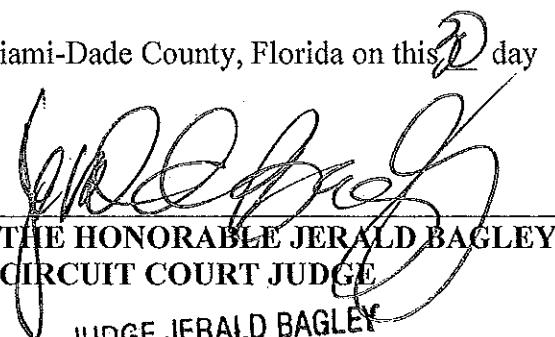
3. The Receiver is also authorized to enter into the Assignment on behalf of the Lenders to MAMC IBEX LLC of the Lenders' interest in the Loan Documents. The Receiver is further authorized to execute any documents and take any actions reasonably necessary to complete the transfer of the Property for the benefit of the Lender and consummate the transactions contemplated therein.

4. Furthermore, upon execution and delivery of all documents detailed in the Motion, the transfer of the Property shall stand as confirmed, without further Order of the Court.

¹ The specific Lenders are described in the Assignment.

5. Finally, the Receiver is authorized to loan MAMC IBEX, LLC, at an interest rate of 4% per annum, simple interest, the sum of \$9,289.00 to obtain insurance, pay the outstanding real property taxes for the Property and cover other closing costs.

DONE AND ORDERED in Chambers in Miami-Dade County, Florida on this 2 day of January, 2013.


THE HONORABLE JERALD BAGLEY
CIRCUIT COURT JUDGE
JUDGE JERALD BAGLEY

Conformed copies to:

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