

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

ARTHUR NADEL,  
SCOOP CAPITAL, LLC,  
SCOOP MANAGEMENT, INC.,

Defendants.

CASE NO.: 8:09-cv-0087-T-26TBM

SCOOP REAL ESTATE, L.P.,  
VALHALLA INVESTMENT PARTNERS, L.P.,  
VALHALLA MANAGEMENT, INC.,  
VICTORY IRA FUND, LTD,  
VICTORY FUND, LTD,  
VIKING IRA FUND, LLC,  
VIKING FUND, LLC, AND  
VIKING MANAGEMENT, LLC.

Relief Defendants.

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**ORDER**

Before the Court is the Receiver's Amended, Unopposed, Verified Motion for Approval of Sale of Real Property Located in Sarasota, Sarasota County, Florida (the "Motion") (Dkt. 1175), and the Consents of Interested Parties reflected in the Motion and below. Upon due consideration of the Receiver's powers as set forth in the Order Appointing Receiver (Dkt. 8), the Orders Reappointing Receiver (Dkts. 140, 316, 493, 935, and 985), and applicable law, it is **ORDERED AND ADJUDGED** that the Motion is **GRANTED**.

The sale of the real property located at 464 Golden Gate Point, Unit 703, Sarasota, Sarasota County, Florida 34236, pursuant to the Purchase and Sale Agreement attached as

Exhibit 5 to the Motion, is hereby approved. Any and all existing claims, liens, and encumbrances relating to the property, including any held by Wells Fargo Bank, N.A., Bank of America, N.A., and La Bellasara Condominium Association, Inc., are hereby transferred to the proceeds of the sale ordered herein, and the property is free and clear of any and all such existing claims, liens, and encumbrances, including but not limited to that certain Mortgage recorded in Official Record Instrument No. 2006096985, that certain Mortgage recorded in Official Record Instrument No. 2006096987, the operation, force and effect of that certain litigation referenced in that certain Notice of Lis Pendens recorded as Official Record Instrument No. 2009127253 and any and all unpaid assessments in favor of La Bellasara Condominium Association, Inc. By consenting and not objecting to the Motion for purposes of Local Rule 3.01(g), no interested party, including the Association, Bank of America, or Wells Fargo, waived its right to assert entitlement to all or a portion of the sale proceeds after the sale closes.

The Court finds that the Receiver has substantially complied with the provisions of 28 U.S.C. § 2001, and the Receiver is hereby directed to transfer free and clear of all claims, liens, and encumbrances to Kathleen Margaret Boren and Charles Sidney Boren, by way of Receiver's Deed, pursuant to Purchase and Sale Agreement, title to the real property located in Sarasota, Sarasota County, Florida.

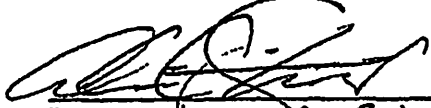
**DONE and ORDERED** in chambers in Tampa, Florida this 29<sup>TH</sup> day of April, 2015.

  
\_\_\_\_\_  
RICHARD A. LAZZARA  
UNITED STATES DISTRICT JUDGE


**CONSENT OF INTERESTED PARTY**

Wells Fargo Bank, N.A., does hereby further consent to the relief requested in the Motion and to this Order. By signing below, Wells Fargo Bank, N.A., does not waive any rights to assert an entitlement to all or a portion of the sale proceeds, and it expressly reserves any and all such rights.

Wells Fargo Bank, N.A.

 4/9/15  
By: Andrew C. Swinehart  
As Its: Vice President

The foregoing instrument was acknowledged and sworn to and subscribed before me on this 9 day of April 2015 by Andrew C Swinehart, as Vice President for Wells Fargo Bank, N.A, who is personally known to me, or who has produced personally known as identification.

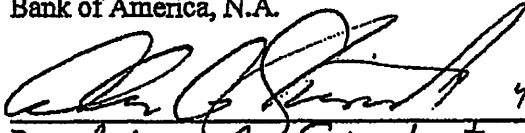
  
NOTARY PUBLIC Andrea Kruse  
My Commission Expires: April 25, 2018  
(SEAL)




**CONSENT OF INTERESTED PARTY**

Bank of America, N.A., does hereby further consent to the relief requested in the Motion and to this Order. By signing below, Bank of America, N.A., does not waive any rights to assert an entitlement to all or a portion of the sale proceeds, and it expressly reserves any and all such rights.

Bank of America, N.A.

 4/9/15  
By: Andrew C. Swinehart  
As Its: Vice President

The foregoing instrument was acknowledged and sworn to and subscribed before me on this 9 day of Apr. 2015 by Andrew C. Swinehart, as Vice President for Bank of America, N.A, who is personally known to me, or who has produced personally known as identification.

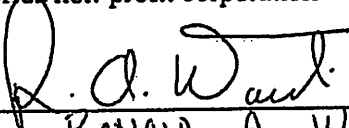
  
NOTARY PUBLIC Andrea Kruse  
My Commission Expires: April 25, 2018  
(SEAL)




**CONSENT OF INTERESTED PARTY**

La Bellasara Condominium Association, Inc. does hereby further consent to the relief requested in the Motion and to this Order. By signing below, La Bellasara Condominium Association, Inc. does not waive any rights to assert an entitlement to all or a portion of the sale proceeds, and it expressly reserves any and all such rights.

La Bellasara Condominium Association, Inc.,  
a Florida non-profit corporation

  
By: RONALD A. WARD  
As Its: PRESIDENT OF LABELASARA CONDO ASSOC

The foregoing instrument was acknowledged and sworn to and subscribed before me on this 30<sup>th</sup> day of March 2015 by Ronald A. Ward as President of La Bellasara Condominium Association, Inc., who is personally known to me, or who has produced Fl Driver's License as identification.

  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_  
(SEAL)



**COPIES FURNISHED TO:**  
Counsel of Record