

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

CASE NO: 8:09-cv-87-T-26TBM

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

Defendants,

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.

ORDER

Upon due and careful consideration of the procedural history of this case, and consistent with the Court's order entered July 16, 2013, at docket 1040, it is ordered and adjudged that the Receiver's Unopposed Verified Motion for Leave to Retain Whitehorse Partners LLC to Market and Sell Quest Energy Management Group, Inc. (Dkt. 1115) is denied without prejudice to being renewed in the event the Eleventh Circuit Court of Appeals affirms this Court's previous order including Quest in the receivership estate, which order was entered on May 24, 2013, at docket 1024. Because that previous order is on appeal to the Eleventh Circuit, this Court is divested of

any jurisdiction to entertain the present motion. See Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58, 103 S.Ct. 400, 402, 74 L.Ed.2d 225 (1982) (stating that “[t]he filing of a notice of appeal is an event of jurisdictional significance - it confers jurisdiction of the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.”).

DONE AND ORDERED at Tampa, Florida, on May 15, 2014.

s/Richard A. Lazzara
RICHARD A. LAZZARA
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:
Counsel of Record