

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

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

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

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

Defendants,

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

Relief Defendants.

---

**BB&T'S NOTICE OF FILING IN SUPPORT OF MOTION FOR TURNOVER OF SALE  
PROCEEDS OF FAIRVIEW PROPERTY SUBJECT TO MORTGAGE INTEREST  
AND SUPPORTING MEMORANDUM OF LAW**

In support of its Motion for Turnover of Sale Proceeds of Fairview Property Subject to Mortgage Interest and Supporting Memorandum of Law, Branch Banking & Trust Company ("BB&T") hereby files the attached documents:

- Exhibit 1: Declaration of Richard Miller;
- Exhibit 2: Declaration of David Hendrix; and
- Exhibit 3: Declaration of Elizabeth B. Dombovary.

GARBETT, STIPHANY, ALLEN & ROZA, P.A.  
Counsel to BB&T  
80 S.W. 8th Street – Suite 3100  
Miami, Florida 33130  
Telephone: (305) 536-8861  
Fax: (305) 579-4722  
David S. Garbett, FBN 356425  
Elizabeth B. Dombovary, FBN 891711  
Email: [dgarbett@gsarlaw.com](mailto:dgarbett@gsarlaw.com)  
Email: [edombovary@gsarlaw.com](mailto:edombovary@gsarlaw.com)

By: /s/ David S. Garbett  
David S. Garbett

**CERTIFICATE OF SERVICE**

I certify that on March 5<sup>th</sup>, 2015, I electronically filed the foregoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the below Service List authorized to receive electronic notice via transmission of Notices of Electronic Filing generated by CM/ECF.

By: /s/ David S. Garbett

Arthur G. Nadel  
FCI BUTNER LOW  
Federal Correctional Institution  
P.O. Box 999  
Butner, NC 27509

Gianluca Morello, Esq.  
Wiand Guerra King, P.L.  
3000 Bayport Drive  
Suite 600  
Tampa, FL 33607  
Counsel for Receiver, Burton W. Wiand

Terry A. Smiljanich, Esq.  
James, Hoyer, Newcomer & Smiljanich, P.A.  
One Urban Centre, Suite 550  
4830 W. Kennedy Blvd.  
Tampa, FL 33609  
Counsel to Receiver, Burton W. Wiand

Scott A. Masel, Esq.  
Andre J. Zamorano, Esq.  
Securities & Exchange Commission  
Miami Branch Office, SERO  
801 Brickell Ave., Suite 1800  
Miami, FL 33131