

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

Sam M. Gibbons U.S. Courthouse  
801 North Florida Avenue  
Tampa, FL 33602

Sheryl L. Loesch  
Clerk

Mark Middlebrook  
Tampa Division Manager

**DATE:** May 13, 2015

**TO:** Clerk, U.S. Court of Appeals for the Eleventh Circuit

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

Case No: 8:09-cv-87-T-26TBM

ARTHUR NADEL, SCOOP CAPITAL, LLC, SCOOP  
MANAGEMENT, INC., 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, VIKING  
MANAGEMENT, LLC, CITY OF VENICE,  
CARRELAGE MULTI-STRATEGY OFFSHORE FUND,  
LTD., WELLS FARGO BANK, N.A., AS SUCCESSOR  
BY MERGER TO WACHOVIA BANK, N.A., KELVIN  
V. LEE, MARTY HUPPERT, ANNE NADEL-  
WALBRIDGE, CHOICE DIRECT MAIL, INC. and  
BRANCH BANKING & TRUST CO. SUCCESSOR TO  
COLONIAL BANK NA,

Defendants.

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**U.S.C.A. Case No.:** UNKNOWN

Enclosed are documents and information relating to an appeal in the above-referenced action.

- Honorable Richard A. Lazzara, United States District Judge appealed from.
- Appeal filing fee was not paid. Upon filing a notice of appeal, the appellant must pay the district clerk all required fees. The district clerk receives the appellate docket fee on behalf of the court of appeals. If you are filing *informa pauperis*, a request for leave to appeal in *forma pauperis* needs to be filed with the district court.
- Certified copy of Notice of Appeal, docket entries, judgment and/or Order appealed from. Opinion was not entered orally.

SHERYL L. LOESCH, CLERK

By: s/K. Brophy, Deputy Clerk

**U.S. District Court  
Middle District of Florida (Tampa)  
CIVIL DOCKET FOR CASE #: 8:09-cv-00087-RAL-TBM  
*Internal Use Only***

Securities and Exchange Commission v. Nadel et al  
Assigned to: Judge Richard A. Lazzara  
Referred to: Magistrate Judge Thomas B. McCoun III  
Case in other court: 11th Circuit, 09-16007-H  
11th Circuit, 09-16437-H  
11th Circuit, 13-12778-F  
Cause: 15:0078m(a) Securities Exchange Act

Date Filed: 01/21/2009  
Jury Demand: None  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Securities and Exchange Commission**

represented by **Andre J. Zamorano**  
Securities & Exchange Commission  
Suite 1800  
801 Brickell Ave  
Miami, FL 33131  
305/982-6324  
Fax: 305/536-4146  
Email: [zamoranoa@sec.gov](mailto:zamoranoa@sec.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert K. Levenson**  
Securities & Exchange Commission  
Suite 1800  
801 Brickell Ave  
Miami, FL 33131  
305/982-6300  
Fax: 305/536-4154  
Email: [levensonr@sec.gov](mailto:levensonr@sec.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Scott A. Masel**  
Securities & Exchange Commission  
Miami Branch Office, SERO  
801 Brickell Ave., Suite 1800  
Miami, FL 33131  
305/982-6398  
Fax: 305/536-4154  
Email: [masels@sec.gov](mailto:masels@sec.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anita M. Cream**

US Attorney's Office – FLM  
Suite 3200  
400 N Tampa St  
Tampa, FL 33602  
813/274–6000  
Fax: 813/274–6220  
Email: [anita.cream@usdoj.gov](mailto:anita.cream@usdoj.gov)  
*TERMINATED: 03/05/2012*  
*ATTORNEY TO BE NOTICED*

V.

**Intervenor Plaintiff**

**Bruce Bell**

*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
Bentley & Bruning, PA  
Suite 220  
783 S Orange Ave  
Sarasota, FL 34236  
941–556–9030  
Fax: 941/312–5316  
Email: [mbentley@bentleyandbruning.com](mailto:mbentley@bentleyandbruning.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Carri Bell**

*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Beatrice Bienaime**

*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Jean–Jacques Bienaime**

*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Charles Daukas**

*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Angela Daukas**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Worth Helms**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Harvey Hinrichs**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Bettye Hinrichs**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**David Ingalls**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Harold Johnson**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Krista Toomre**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Barrant Merrill**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Adams Moore**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Patrick Peavy**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Donna Pickard**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Louis Paolino**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Ronald Rennick**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Scott Shumway**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Celt, Inc.**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Lineberger & Co., LLC**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Robert Wilkes**  
*TERMINATED: 03/20/2009*

represented by **Morgan R. Bentley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Arthur Nadel**  
50690-018  
FCI Butner Low  
P.O. Box 999  
Butner, NC 27509

represented by **Todd Alan Foster**  
Todd Foster, PLLC  
1881 W Kennedy Blvd  
Tampa, FL 33606  
813-229-7373  
Fax: 813-280-9981  
Email: [tfoster@tfosterlaw.com](mailto:tfoster@tfosterlaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Scoop Capital, LLC**

**Defendant**

**Scoop Management, Inc.**

**Defendant**

**Scoop Real Estate, L.P.**

**Defendant**

**Valhalla Investment Partners, L.P.**

**Defendant**

**Valhalla Management, Inc.**

**Defendant**

**Victory IRA Fund, Ltd.**

**Defendant**

**Victory Fund, Ltd.**

**Defendant**

**Viking IRA Fund, LLC**

**Defendant**

**Viking Fund, LLC**

**Defendant**

**Viking Management, LLC**

**Defendant**

**E. John Lopez**

*TERMINATED: 08/31/2010*

represented by **John William Chapman , Jr.**

The John Chapman Law Firm, PA  
Suite 870

1515 Ringling Blvd

Sarasota, FL 34236

941/350-3172

Email: [jchapman@johnchapmanlaw.com](mailto:jchapman@johnchapmanlaw.com)

*TERMINATED: 08/31/2010*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Defendant**

**Carrelage Multi-Strategy Offshore  
Fund, Ltd.**

represented by **David A. Holmes**

Farr, Emerich, Hackett & Carr, PA  
99 Nesbit St

Punta Gorda, FL 33950

941/639-1158

Fax: 941/639-0028

Email: [dholmes@farr.com](mailto:dholmes@farr.com)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Defendant**

**Wells Fargo Bank, N.A., as successor  
by merger to Wachovia Bank, N.A.**

represented by **Ana T. Barnett**

Stearns, Weaver, Miller, Weissler,  
Alhadeff & Sitterson, PA

Suite 2200

150 W Flagler St

Miami, FL 33130

305/789-3514

Fax: 305/789-3395

Email: [anabarnett@att.net](mailto:anabarnett@att.net)

*TERMINATED: 01/02/2014*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Julie Fishman Berkowitz**

Stearns, Weaver, Miller, Weissler,  
Alhadeff & Sitterson, PA

Suite 2200

150 W Flagler St

Miami, FL 33130

305/789-3353

Fax: 305/789-2698

Email: [jberkowitz@stearnsweaver.com](mailto:jberkowitz@stearnsweaver.com)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Kelvin V. Lee**  
2287 Springs Landing Blvd.  
Longwood, FL 32779  
*Trustee, Nancy E. Lee Trust.*

**Defendant**

**Marty Huppert**

**Defendant**

**Anne Nadel–Walbridge**

represented by **Matthew P. Farmer**  
Farmer & Fitzgerald, PA  
Suite 501  
102 W Whiting St  
Tampa, FL 33602  
813/228–0095  
Fax: 813–224–0269  
Email: [mattfarmer1@aol.com](mailto:mattfarmer1@aol.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Choice Direct Mail, Inc.**  
*formerly known as*  
Carnegie Marketing Associates, Inc.

represented by **George R. McLain**  
Metcalf McLain, PA  
Suite 210  
107 S Osprey Ave  
Sarasota, FL 34236  
941/365–4174  
Fax: 941/366–4741  
Email: [george.mclain@metcalfemclain.com](mailto:george.mclain@metcalfemclain.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Branch Banking & Trust Co. Successor  
to Colonial Bank NA**  
c/o David Garbett  
Garbett Stiphany et al.  
80 SW 8th St., Ste. 3100  
Miami, FL 33130  
305–536–8861  
*Secured Creditor*

represented by **David Stuart Garbett**  
Garbett, Stiphany, Allen & Roza, PA  
Suite 3100  
80 SW 8th St  
Miami, FL 33130  
305/579–0012  
Fax: 305/579–4722  
Email: [dgarbett@gsarlaw.com](mailto:dgarbett@gsarlaw.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Respondent**

**City of Venice**

represented by **Mark David Hildreth**  
Shumaker, Loop & Kendrick, LLP

240 S Pineapple Ave – 10th Flr  
PO Box 49948  
Sarasota, FL 34230–6948  
941/364–2747  
Fax: 941/366–3999  
Email: [mhildreth@slk-law.com](mailto:mhildreth@slk-law.com)  
*TERMINATED: 12/07/2010*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interpleader**

**Ty Hardin**

represented by **George R. McLain**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Claimant**

**Elendow LLC**

represented by **Joshua A. Bleil**  
The Tickin Law Group, PA  
Suite 220  
600 W Hillsboro Blvd  
Deerfield Beach, FL 33441  
954/570–6757  
Fax: 954/570–6760  
Email: [jbleil@legalbrains.com](mailto:jbleil@legalbrains.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor**

**General Electric Capital Corporation**  
*TERMINATED: 02/12/2009*

represented by **Arthur Christopher Kasten , II**  
Bush Ross, PA  
1801 N Highland Ave  
PO Box 3913  
Tampa, FL 33601  
813/224–9255  
Fax: 813–223–9620  
Email: [ckasten@bushross.com](mailto:ckasten@bushross.com)  
*TERMINATED: 05/01/2012*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor**

**VFS Financing, Inc.**  
*TERMINATED: 02/12/2009*

represented by **Arthur Christopher Kasten , II**  
(See above for address)  
*TERMINATED: 05/01/2012*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor**

**William F Bishop**

*TERMINATED: 09/24/2009*

represented by **James L. Essenson**

Law Firm of James L. Essenson  
2071 Main St

Sarasota, FL 34237

941/954-0303

Fax: 941/951-7739

Email: [essenson@essensonlaw.com](mailto:essenson@essensonlaw.com)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

V.

**Interested Party**

**LandMark Bank of Florida**

represented by **J. Thomas Cardwell**

J. Thomas Cardwell

1516 W Ivanhoe Blvd

Orlando, FL 32804

407/423-4000

Fax: 407/843-6610

Email: [tcardw@aol.com](mailto:tcardw@aol.com)

*TERMINATED: 09/21/2009*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Kathryn B. Hoeck**

Akerman Senterfitt, LLP – Orlando

420 S Orange Ave – Ste 1200

PO Box 231

Orlando, FL 32802-0231

407/423-4000

Fax: 407/843-6610

Email: [kathy.hoeck@akerman.com](mailto:kathy.hoeck@akerman.com)

*TERMINATED: 05/16/2012*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Michael A. Nardella**

Burr & Forman, LLP

Suite 800

200 S Orange Ave

Orlando, FL 32801

407/540-6600

Fax: 407/540-6601

Email: [mnardella@burr.com](mailto:mnardella@burr.com)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Thomas R. Yaegers**

Akerman Senterfitt

420 S Orange Ave – Ste 1200  
PO Box 231  
Orlando, FL 32802  
407/419–8489  
Fax: 407/254–4215  
Email: [thomas.yaegers@akerman.com](mailto:thomas.yaegers@akerman.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Wells Fargo Bank, N.A.**  
*Creditor*

represented by **Ana T. Barnett**  
(See above for address)  
*TERMINATED: 01/02/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Louis Joseph Shaheen , Jr.**  
Akerman Senterfitt  
Suite 1700  
401 E Jackson St  
Tampa, FL 33602–5803  
813–209–5016  
Fax: 813–223–2837  
Email: [joseph.shaheen@akerman.com](mailto:joseph.shaheen@akerman.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Steven R. Wirth**  
Akerman LLP – Tampa  
401 E Jackson St Ste 1700  
Tampa, FL 33602–5250  
813/223–7333  
Fax: 813/223–2837  
Email: [steven.wirth@akerman.com](mailto:steven.wirth@akerman.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Fulcrum Distressed Opportunities  
Fund I, LP**

represented by **Kevin Michael Eckhardt**  
Hunton & Williams, LLP  
Suite 3500  
101 S Tryon St  
Charlotte, NC 28280  
704/378–4729  
Fax: 704/378–4890  
Email: [keckhardt@hunton.com](mailto:keckhardt@hunton.com)  
*TERMINATED: 04/10/2015*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**YMCA Foundation of Sarasota, Inc.**

represented by **Carol Ann Kalish**  
Williams, Parker, Harrison, Dietz & Getzen  
200 S Orange Ave  
Sarasota, FL 34236  
941/366-4800  
Fax: 941/954-3172  
Email: [ckalish@williamsparker.com](mailto:ckalish@williamsparker.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Vernon M. Lee**

represented by **Vernon M. Lee**  
4018 Via Mirada  
Sarasota, FL 34238  
941/321-6956  
PRO SE

**Paul B. Thanasides**  
McIntyre Thanasides Bringgold Elliott  
Grimaldi & Guito, PA  
501 E Kennedy Blvd Ste 1900  
Tampa, FL 33602-5238  
813/899-6059  
Fax: 813/899-6069  
Email: [paul@mcintyrefirm.com](mailto:paul@mcintyrefirm.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lorien Smith Johnson**  
McIntyre Thanasides Bringgold Elliott  
Grimaldi & Guito, PA  
501 E Kennedy Blvd Ste 1900  
Tampa, FL 33602-5238  
813/899-6059  
Fax: 813/899-6069  
Email: [lorien@mcintyrefirm.com](mailto:lorien@mcintyrefirm.com)  
*TERMINATED: 11/13/2013*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Brian L. Meeker**

represented by **Lorien Smith Johnson**  
(See above for address)  
*TERMINATED: 11/13/2013*  
*LEAD ATTORNEY*

**Paul B. Thanasides**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Samuel Ross Morgan III**

**Interested Party**

**Goldman Sachs Execution & Clearing,  
L.P.**

represented by **Eric A. Bensky**  
Schulte Roth & Zabel LLP  
1152 Fifteenth St., NW, Suite 850  
Washington, DC 20005  
202/729-7470  
Email: [eric.bensky@srz.com](mailto:eric.bensky@srz.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Howard Schiffman**

Schulte Roth & Zabel LLP  
1152 Fifteenth St., NW, Suite 850  
Washington, DC 20005  
202/729-7470  
Email: [howard.schiffman@srz.com](mailto:howard.schiffman@srz.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Janelle Alicia Weber**

Shutts & Bowen, LLP  
4301 W Boy Scout Blvd Ste 300  
Tampa, FL 33607  
813-229-8900  
Fax: 813-229-8901  
Email: [jweber@shutts.com](mailto:jweber@shutts.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Wiand Guerra King P.L.**

represented by **Patrick Joseph McNamara**  
De La Parte & Gilbert, PA  
Suite 2000  
101 E Kennedy Blvd  
Tampa, FL 33602  
813/229-2775  
Fax: 813/229-2712  
Email: [pmcnamara@dgfirm.com](mailto:pmcnamara@dgfirm.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Emelie Zack**

represented by **Emelie Zack**  
13900 Long Lake Lane  
Port Charlotte, FL 33953

PRO SE

**Interested Party**

**World Opportunity Fund, L.P.**

represented by **James E. Connelly**  
Womble, Carlyle, Sandridge & Rice, LLP  
Suite 2400  
271 Seventeenth St NW  
Atlanta, GA 30363-1017  
404/815-3500  
Fax: 404/815-3509  
Email: [JConnelly@wcsr.com](mailto:JConnelly@wcsr.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Mark A Rogers**

Womble, Carlyle, Sandridge & Rice, LLP  
Suite 2400  
271 Seventeenth St NW  
Atlanta, GA 30363-1017  
404/872-7000  
Fax: 404/879-2425  
Email: [marogers@wcsr.com](mailto:marogers@wcsr.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederick Stewart Schrils**

GrayRobinson, PA  
401 E. Jackson Street, Suite 2700  
Tampa, FL 33602  
813/273-5000  
Fax: 813/273-5145  
Email: [frederick.schrils@gray-robinson.com](mailto:frederick.schrils@gray-robinson.com)  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Peter Roby**

represented by **Jeffrey Wayne Warren**  
Bush Ross, PA  
1801 N Highland Ave  
PO Box 3913  
Tampa, FL 33602  
813/224-9255  
Fax: 813/223-9620  
Email: [jwarren@bushross.com](mailto:jwarren@bushross.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Katherine Roby**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Interested Party**

**Charles A. Hailey**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Gregg Weinberg**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Louis Wang**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**John D. Whitlock**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Rodney Nigel Turner**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**W.W. Whitlock Foundation**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Paul Swenson**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Harvey A. Gilbert**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Interested Party**

**Deanne E. Gilbert**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Thomas Luck**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Mark Munson**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Melinda Munson**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Munson Family Partners, Ltd.**

represented by **Jeffrey Wayne Warren**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Richard Formica**

represented by **Chris A. Barker**  
Barker, Rodems & Cook, PA  
Suite 790  
501 E Kennedy Blvd  
Tampa, FL 33602  
813/489-1001  
Fax: 813/489-1008  
Email: [chris@barkercook.com](mailto:chris@barkercook.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Marilynn Formica**

represented by **Chris A. Barker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Ami Marie Formica**

represented by **Chris A. Barker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Matthew Francis Formica**

represented by **Chris A. Barker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Kevin Francis Formica**

represented by **Chris A. Barker**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Van Operating, Ltd.**

c/o Roberta A. Colton, Esq.  
Trenam Kemker  
P.O. Box 1102  
Tampa, FL 33602  
813-223-7474

represented by **Gregory M. Wilkes**  
Norton Rose Fulbright US, LLP  
Ste 2800  
2200 Ross Ave  
Dallas, TX 75201-2784  
214/855-8000  
Fax: 214/855-8200  
Email: [greg.wilkes@nortonrosefulbright.com](mailto:greg.wilkes@nortonrosefulbright.com)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Mark A. Platt**

Norton Rose Fulbright US, LLP  
Ste 2800  
2200 Ross Ave  
Dallas, TX 75201-2784  
214-932-6433  
Fax: 214-273-7485  
Email: [mplatt@mcguirewoods.com](mailto:mplatt@mcguirewoods.com)  
*TERMINATED: 11/12/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Roberta A. Colton**

Trenam Kemker  
Suite 2700  
101 E Kennedy Blvd  
Tampa, FL 33602-5150  
813/227-7486  
Fax: 813/229-6553

Email: [racolton@trenam.com](mailto:racolton@trenam.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**Chester Vincentz**

represented by **Chester Vincentz**  
6500 Lakeview Drive  
Falls Church, VA 22041  
(703) 256-5435  
PRO SE

**Mediator**

**Howard Tescher**

**Receiver**

**Burton W. Wiand**

represented by **Carl Richard Nelson**  
Buchanan Ingersoll &Rooney, PC  
501 E Kennedy Blvd Ste 1700  
Tampa, FL 33602-5239  
813/228-7411 ext: 1108  
Fax: 813/229-8313  
Email: [carl.nelson@bipc.com](mailto:carl.nelson@bipc.com)  
*TERMINATED: 04/08/2010*  
*LEAD ATTORNEY*

**Donald R. Kirk**

Carlton Fields Jordan Burt, PA  
4221 W Boy Scout Blvd Ste 1000  
PO Box 3239  
Tampa, FL 33601-3239  
813-229-4334  
Email: [dkirk@cfjblaw.com](mailto:dkirk@cfjblaw.com)  
*TERMINATED: 12/03/2009*  
*LEAD ATTORNEY*

**Gianluca Morello**

Wiand Guerra King, PL  
5505 W Gray St  
Tampa, FL 33609  
813-347-5100  
Fax: 813-347-5155  
Email: [gmorello@wiandlaw.com](mailto:gmorello@wiandlaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jonathan Betten Cohen**

James, Hoyer, Newcomer &Smiljanich, PA  
Suite 550  
4830 W Kennedy Blvd  
Tampa, FL 33609  
813/397-2300

Fax: 813/397-2310  
Email: [jcohen@forthepeople.com](mailto:jcohen@forthepeople.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Maya M. Lockwood**  
Wiand Guerra King, PL  
5505 W Gray St  
Tampa, FL 33609  
813-347-5100  
Fax: 813-347-5198  
Email: [mlockwood@wiandlaw.com](mailto:mlockwood@wiandlaw.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Megan Elizabeth Davis**  
James, Hoyer, Newcomer & Smiljanich, PA  
Suite 550  
4830 W Kennedy Blvd  
Tampa, FL 33609  
813/286-4100  
Fax: 813/286-4174  
Email: [mdavis@jameshoyer.com](mailto:mdavis@jameshoyer.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Sean P. Keefe**  
James, Hoyer, Newcomer & Smiljanich, PA  
Suite 550  
4830 W Kennedy Blvd  
Tampa, FL 33609  
813/397-2300  
Fax: 813/397-2310  
Email: [skeefe@jameshoyer.com](mailto:skeefe@jameshoyer.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Terry Alan Smiljanich**  
James, Hoyer, Newcomer & Smiljanich, PA  
Suite 550  
4830 W Kennedy Blvd  
Tampa, FL 33609  
813/397-2300  
Fax: 813/397-2310  
Email: [tsmiljanich@jameshoyer.com](mailto:tsmiljanich@jameshoyer.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Ashley Bruce Trehan**  
Buchanan Ingersoll & Rooney, PC  
501 E Kennedy Blvd Ste 1700  
Tampa, FL 33602-5239

813-222-2083  
Fax: 813-229-8313  
Email: [ashley.trehan@fowlerwhite.com](mailto:ashley.trehan@fowlerwhite.com)  
*TERMINATED: 04/08/2010*

**Michael S. Lamont**  
Wiand Guerra King P.L.  
3000 Bayport Drive, Suite 600  
Tampa, FL 33607  
(813) 347-5100  
Fax: (813) 347-5157  
Email: [mlamont@wiandlaw.com](mailto:mlamont@wiandlaw.com)  
*ATTORNEY TO BE NOTICED*

V.

**Movant**

**R. Craig Harrison**

represented by **R. Craig Harrison**  
Lyons, Beaudry & Harrison, PA  
Suite 1111  
1605 Main St  
Sarasota, FL 34236  
941-366-3282  
Fax: 941-954-1484  
Email: [craig@lyonsbeaudryharrison.com](mailto:craig@lyonsbeaudryharrison.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Movant**

**Gary Musser**  
*TERMINATED: 05/14/2009*

**Movant**

**Earl Niemoth**  
*TERMINATED: 11/13/2009*

**Movant**

**Thomas J. Neff**  
*TERMINATED: 11/13/2009*

**Movant**

**Donald H. Rowe**  
*TERMINATED: 12/13/2010*

represented by **Donald H. Rowe**  
Carnegie Asset Management, Inc.  
Wall Street Digest, Inc.  
1350 Main Street  
Sarasota, FL 34236-5642  
PRO SE

**Anne-Leigh Gaylord Moe**

Bush Ross, PA  
1801 N Highland Ave  
PO Box 3913  
Tampa, FL 33601  
813/224-9255  
Fax: 813/223-9620  
Email: [amoe@bushross.com](mailto:amoe@bushross.com)  
*TERMINATED: 12/13/2010*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Edward O. Savitz**  
Bush Ross, PA  
1801 N Highland Ave  
PO Box 3913  
Tampa, FL 33601  
813/224-9255  
Fax: 813/223-9620  
Email: [esavitz@bushross.com](mailto:esavitz@bushross.com)  
*TERMINATED: 12/13/2010*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Karen Schmid Cox**  
Bush Ross, PA  
1801 N Highland Ave  
PO Box 3913  
Tampa, FL 33601-3913  
813/224-9255  
Fax: 813/223-9620  
Email: [kcox@bushross.com](mailto:kcox@bushross.com)  
*TERMINATED: 12/13/2010*  
*ATTORNEY TO BE NOTICED*

**Movant**

**Norton Hammersley Lopez & Skokos**

represented by **John William Chapman, Jr.**  
(See above for address)  
*TERMINATED: 08/31/2010*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Movant**

**IBERIABANK**

represented by **Traci H. Rollins**  
Squire Sanders (US), LLP  
1900 Phillips Point W  
777 S Flagler Dr  
West Palm Beach, FL 33401-6198  
561/650-7256  
Fax: 561/655-1509  
Email: [traci.rollins@squirepb.com](mailto:traci.rollins@squirepb.com)  
*TERMINATED: 09/15/2010*

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Movant**

**Managed Capital, LLC**

represented by **Gregory P. Brown**  
Hill Ward Henderson, PA  
101 E Kennedy Blvd – Ste 3700  
PO Box 2231  
Tampa, FL 33602–5195  
813/221–3900  
Fax: 813/221–2900  
Email: [gbrown@hwhlaw.com](mailto:gbrown@hwhlaw.com)  
*TERMINATED: 11/01/2010  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Movant**

**Marguerite J. Nadel**  
*TERMINATED: 09/08/2010*

represented by **Marguerite J. Nadel**  
3966 Country View Dr.  
Sarasota, FL 34233  
941/927–3830  
PRO SE

**Movant**

**Richard T. Williams**

represented by **Jason T. Gaskill**  
Adams & Reese, LLP  
Suite 700  
1515 Ringling Blvd  
Sarasota, FL 34236  
941/316–7600  
Email: [jason.gaskill@arlaw.com](mailto:jason.gaskill@arlaw.com)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Movant**

**Barbara Meeker**  
3105 Deepwater Lane  
Maumee, OH 43537

**Movant**

**Kelvin V. Lee**  
2287 Springs Landing Blvd.  
Longwood, FL 32779

**Movant**

**Diane Pezick**  
110 Piedmont Circle  
Maryville, TN 37803

**Movant**

**Tyna Gaylor**

11811 Lakewood Lane  
Fairfax Station, VA 22039

**Movant**

**Quest Energy Management Group,  
Inc.**

c/o Jeff Downey, COO  
64 S. Jacobs St.  
Albany, TX 76430  
325/762-3281

represented by **James E. Felman**  
Kynes, Markman &Felman, P.A.  
100 S Ashley Dr – Ste 1300  
PO Box 3396  
Tampa, FL 33601-3396  
813/229-1118  
Fax: 813/221-6750  
Email: [JFelman@kmf-law.com](mailto:JFelman@kmf-law.com)  
*TERMINATED: 04/29/2013*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John Austin Rine**

Lewis, Brisbois, Bisgaard &Smith,  
LLP-Tampa  
Suite 200  
3812 Coconut Palm Dr  
Tampa, FL 33619  
813/739-1900  
Fax: 813-739-1919  
Email: [john.rine@lewisbrisbois.com](mailto:john.rine@lewisbrisbois.com)  
*TERMINATED: 10/22/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Katherine Earle Yanes**

Kynes, Markman &Felman, P.A.  
100 S Ashley Dr – Ste 1300  
PO Box 3396  
Tampa, FL 33601-3396  
813/229-1118  
Fax: 813-221-6750  
Email: [KYanes@kmf-law.com](mailto:KYanes@kmf-law.com)  
*TERMINATED: 04/29/2013*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Movant**

**Jeff Downey**

*TERMINATED: 09/04/2013*

represented by **John Austin Rine**  
(See above for address)  
*TERMINATED: 10/22/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Movant**

**Paul Downey**  
*TERMINATED: 09/04/2013*

represented by **John Austin Rine**  
(See above for address)  
*TERMINATED: 10/22/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Movant**

**First National Bank of  
Albany/Breckenridge**

represented by **First National Bank of  
Albany/Breckenridge**  
c/o Colton Johnson  
P.O. Box 2169  
Albany, TX 76430  
PRO SE

**Raymond John Rotella**  
Kosto & Rotella, PA  
619 E Washington St  
PO Box 113  
Orlando, FL 32802-0113  
407/425-3456  
Fax: 407/423-5498  
Email: [rrotella@kostoandrotella.com](mailto:rrotella@kostoandrotella.com)  
*TERMINATED: 04/10/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Movant**

**United States Internal Revenue Service**

represented by **Lacy R. Harwell , Jr.**  
US Attorney's Office – FLM  
Suite 3200  
400 N Tampa St  
Tampa, FL 33602  
813/274-6000  
Fax: 813/274-6200  
Email: [randy.harwell@usdoj.gov](mailto:randy.harwell@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Page	Docket Text
01/21/2009	<u>1</u>		COMPLAINT for injunctive and other relief against Victory IRA Fund, Ltd., Victory Fund, Ltd., Viking IRA Fund, LLC, Viking Fund, LLC, Viking Management, LLC, Arthur Nadel, Scoop Capital, LLC, Scoop Management, Inc., Scoop Real Estate, L.P., Valhalla Investment Partners, L.P., Valhalla Management, Inc. filed by Securities and Exchange Commission.(JLH) (Entered: 01/21/2009)
01/21/2009	<u>2</u>		EMERGENCY MOTION with memorandum in supportfor temporary restraining order and other

			emergency relief by Securities and Exchange Commission. (JLH) (Additional attachment(s) added on 1/30/2009: # <u>1</u> INDEX, # <u>2</u> Tab 1, # <u>3</u> Tab 1A, # <u>4</u> Tab 1-B, # <u>5</u> Tab 1-c, # <u>6</u> Tab 1-D, # <u>7</u> Tab 1-e, # <u>8</u> Tab 1-F, # <u>9</u> Tab 1-G, # <u>10</u> Tab 1-H, # <u>11</u> Tab 1-I, # <u>12</u> Tab 1-J, # <u>13</u> Index, # <u>14</u> Tab 1-K, # <u>15</u> Tab 1-L, # <u>16</u> Tab 1-M, # <u>17</u> Tab 1-N, # <u>18</u> Tab 1-O, # <u>19</u> Tab 2, # <u>20</u> Tab 3, # <u>21</u> Tab 4, # <u>22</u> Tab 5, # <u>23</u> Tab 6, # <u>24</u> Tab 7, # <u>25</u> Tab 8) (JLH). (Entered: 01/21/2009)
01/21/2009	<u>3</u>		NOTICE of filing consents to entry of order by Securities and Exchange Commission re <u>2</u> MOTION for temporary restraining order (JLH) (Entered: 01/21/2009)
01/21/2009	<u>4</u>		DECLARATION of Chedly C. Dumornay re <u>2</u> MOTION for temporary restraining order by Securities and Exchange Commission. (JLH) (Entered: 01/21/2009)
01/21/2009	<u>5</u>		Summons issued as to Arthur Nadel. (JLH) (Entered: 01/21/2009)
01/21/2009	<u>6</u>		EMERGENCY MOTION to appoint receiver with memorandum in support by Securities and Exchange Commission. (JLH) (Entered: 01/21/2009)
01/21/2009	<u>7</u>		ORDER of preliminary injunction and other relief as to defendants Scoop Capital, LLC and Scoop Management and all other relief defendants (see order for further details) Signed by Judge Richard A. Lazzara on 1/21/2009. (JLH) (Entered: 01/21/2009)
01/21/2009	<u>8</u>		ORDER granting <u>6</u> Motion to appoint receiver. Burton W. Wiand appointed (see order for further details). Signed by Judge Richard A. Lazzara on 1/21/2009. (JLH) (Entered: 01/21/2009)
01/21/2009	<u>9</u>		ORDER granting <u>2</u> Motion for temporary restraining order; Show cause hearing set for February 4, 2009 at 9:30 a.m. before Judge Richard A. Lazzara, Courtroom 15B (See order for further details). Signed by Judge Richard A. Lazzara on 1/21/2009. (JLH) (Entered: 01/21/2009)
01/21/2009	<u>10</u>		NOTICE of Appearance by Carl Richard Nelson on behalf of Burton W. Wiand (Nelson, Carl) (Entered: 01/21/2009)
01/21/2009	<u>11</u>		NOTICE of Appearance by Gianluca Morello on behalf of Burton W. Wiand (Morello, Gianluca) (Entered: 01/21/2009)

01/21/2009	<u>12</u>		NOTICE of Appearance by Ashley Bruce Trehan on behalf of Burton W. Wiand (Trehan, Ashley) (Entered: 01/21/2009)
01/22/2009	<u>13</u>		RELATED CASE ORDER AND NOTICE of designation under Local Rule 3.05 – track 2. Notice of pendency of other actions due by 2/2/2009. Signed by Judge Richard A. Lazzara on 1/22/2009. (MSS) (Entered: 01/22/2009)
01/23/2009	<u>14</u>		RETURN of service executed on January 21, 2009 by Securities and Exchange Commission as to Arthur Nadel. (Masel, Scott) (Entered: 01/23/2009)
01/26/2009	<u>15</u>		Unopposed MOTION for miscellaneous relief, specifically Expansion of Receivership to Include Venice Jet Center, LLC, and Tradewind, LLC by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/26/2009)
01/26/2009	<u>16</u>		DECLARATION of Burton W. Wiand, as Receiver re <u>15</u> Unopposed MOTION for miscellaneous relief, specifically Expansion of Receivership to Include Venice Jet Center, LLC, and Tradewind, LLC by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Morello, Gianluca) (Entered: 01/26/2009)
01/27/2009	<u>17</u>		ORDER ATTACHED granting <u>15</u> Motion to expand receivership. The receivership is expanded to include the entities known as Venice Jet Center, LLC, and Tradewind, LLC. These entities are specifically included within the ambit of the Court's Order Appointing Receiver. Signed by Judge Richard A. Lazzara on 1/27/2009. (SKH) (Entered: 01/27/2009)
01/29/2009	<u>18</u>		AMENDED RELATED CASE ORDER AND NOTICE of designation under Local Rule 3.05 – track 2. Notice of pendency of other actions due by 2/2/2009. Signed by Judge Richard A. Lazzara on 1/29/2009. (Amended only as to the Case number)(MSS) (Entered: 01/29/2009)
01/29/2009	<u>19</u>		Emergency MOTION for temporary restraining order , <i>Unopposed</i> , by Burton W. Wiand. (Nelson, Carl) (Entered: 01/29/2009)
01/30/2009	<u>20</u>		ORDER granting <u>19</u> Motion for temporary restraining order. TEMPORARY RESTRAINING ORDER is entered. Signed by Judge Richard A. Lazzara on 1/30/2009. (MSS) (Entered: 01/30/2009)
01/30/2009	<u>21</u>		Unopposed MOTION for miscellaneous relief, specifically for possession of funds in Colonial

			Bank by Burton W. Wiand. (Nelson, Carl) (Entered: 01/30/2009)
01/30/2009	<u>22</u>		ORDER ATTACHED granting <u>21</u> Receiver's Unopposed Motion for Possession of Funds in Colonial Bank. Signed by Judge Richard A. Lazzara on 1/30/2009. (DMB) (Entered: 01/30/2009)
02/02/2009	<u>23</u>		NOTICE of pendency of related cases re <u>18</u> Related case order and notice of designation of track 2 per Local Rule 1.04(d) by Burton W. Wiand. Related case(s): yes (Nelson, Carl) (Entered: 02/02/2009)
02/02/2009	<u>24</u>		Unopposed MOTION to Approve Consent Judgment and Notice of Filing the Consent of Defendant Arthur Nadel to Entry of Preliminary Injunction and Other Relief by Securities and Exchange Commission. (Attachments: # <u>1</u> Consent of Defendant Arthur Nadel to Order of Preliminary Injunction and Other Relief)(Masel, Scott) (Entered: 02/02/2009)
02/02/2009	<u>25</u>		CERTIFICATE of interested persons and corporate disclosure statement re <u>18</u> Related case order and notice of designation of track 2 by Burton W. Wiand. (Nelson, Carl) (Entered: 02/02/2009)
02/02/2009	<u>26</u>		NOTICE of pendency of related cases re <u>18</u> Related case order and notice of designation of track 2 per Local Rule 1.04(d) by Securities and Exchange Commission. Related case(s): no (Masel, Scott) (Entered: 02/02/2009)
02/02/2009	<u>27</u>		CERTIFICATE of interested persons and corporate disclosure statement re <u>18</u> Related case order and notice of designation of track 2 by Securities and Exchange Commission. (Masel, Scott) (Entered: 02/02/2009)
02/02/2009	<u>28</u>		NOTICE by Burton W. Wiand re <u>22</u> Order on Motion for Miscellaneous Relief <i>NOTICE OF DISPOSITION OF FUNDS</i> (Nelson, Carl) (Entered: 02/02/2009)
02/03/2009	<u>29</u>		ORDER of Preliminary Injunction and other relief as to Defendant Arthur Nadel and ORDER granting <u>24</u> Motion to Approve Consent Judgment. Signed by Judge Richard A. Lazzara on 2/3/2009. (See order) (MSS) (Entered: 02/03/2009)
02/03/2009	30		NOTICE canceling hearing on motion for preliminary injunction scheduled for 2/4/2009. (CCB) (Entered: 02/03/2009)
02/03/2009	31		ENDORSED ORDER for Andre J. Zamorano to

			<p>comply with the administrative procedures regarding electronic filing. Pursuant to the USDC – Middle District of Florida's Administrative Procedures for Electronic Filing in Civil and Criminal Cases, Section I(A) "... all documents filed in civil and criminal cases in this District... shall be filed electronically." Upon review of the file, the Court finds that counsel set out above is not registered with the Court's CM/ECF filing system. Therefore, it is ORDERED AND ADJUDGED that counsel listed shall register for CM/ECF, enter an email address in their CM/ECF account, and electronically file a notice of compliance with this Court's Order within thirty (30) days. Failure to comply with this Order as directed will result in counsel being terminated from the docket sheet without further notice. If the referenced attorney is an out of state attorney who needs to apply to be admitted pro hac vice in this case, the motion to appear pro hac vice and designation of local counsel (pursuant to Local Rule 2.02), the special admission form and appropriate fee shall be submitted to the Court before CM/ECF access will be granted. Signed by Judge Richard A. Lazzara on 2/3/2009. (SKH) (Entered: 02/03/2009)</p>
02/03/2009			Sealed document. S-1 (JLH) (Entered: 02/04/2009)
02/04/2009	<u>32</u>		MOTION to intervene by General Electric Capital Corporation, VFS Financing, Inc.. (Attachments: # <u>1</u> Exhibit A)(Kasten, Arthur) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 02/04/2009)
02/05/2009	<u>33</u>		ORDER ATTACHED scheduling expedited hearing on motion to intervene by General Electric Capital and VFS Financing, Inc. Hearing scheduled 2/12/09 at 9:30 a.m. Plaintiff and the Receiver shall file expedited responses on or before 2/10/09 to the motion to intervene and the proposed emergency motion to modify order appointing receiver. Signed by Judge Richard A. Lazzara on 2/5/2009. (SKH) (Entered: 02/05/2009)
02/05/2009	34		NOTICE OF HEARING on <u>32</u> Motion to Intervene: Motion Hearing set for Thursday, February 12, 2009, at 9:30 a.m., in Courtroom 15B before Judge Richard A. Lazzara. See Order at Dkt. 33 for details. (SKH) (Entered: 02/05/2009)
02/05/2009	<u>35</u>		NOTICE of Appearance by Maya M. Lockwood on behalf of Burton W. Wiand (Lockwood, Maya) (Entered: 02/05/2009)

02/10/2009	<u>36</u>		Unopposed MOTION for miscellaneous relief, specifically expansion of the receivership to include Laurel Mountain Preserve, LLC, Laurel Preserve, LLC, Laurel Mountain Preserve Homeowners Association, Inc., and the Marguerite J. Nadel Revocable Trust UAD 8/2/2007 by Burton W. Wiand. (Morello, Gianluca) (Entered: 02/10/2009)
02/10/2009	<u>37</u>		DECLARATION of Receiver, Burton W. Wiand re <u>36</u> Unopposed MOTION for miscellaneous relief, specifically expansion of the receivership to include Laurel Mountain Preserve, LLC, Laurel Preserve, LLC, Laurel Mountain Preserve Homeowners Association, Inc., and the Marguerite J. Nadel Revocable Trust UAD by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14)(Morello, Gianluca) (Entered: 02/10/2009)
02/10/2009	<u>38</u>		RESPONSE in opposition re <u>32</u> MOTION to intervene filed by Burton W. Wiand. (Nelson, Carl) (Entered: 02/10/2009)
02/10/2009	<u>39</u>		RESPONSE in opposition re <u>32</u> MOTION to intervene <i>Receiver's Opposition to Emergency Motion to Modify Order Appointing Receiver</i> filed by Burton W. Wiand. (Nelson, Carl) (Entered: 02/10/2009)
02/10/2009	<u>40</u>		DECLARATION of Receiver, Burton W. Wiand re <u>39</u> Response in opposition to motion by Burton W. Wiand. (Nelson, Carl) (Entered: 02/10/2009)
02/10/2009	<u>41</u>		AFFIDAVIT of Roger Wright Jernigan re: <u>39</u> Response in opposition to motion <i>in Support of Opposition to Motion to Modify Order Appointing Receiver</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Nelson, Carl) (Entered: 02/10/2009)
02/10/2009	<u>42</u>		NOTICE of Appearance by Donald R. Kirk on behalf of Burton W. Wiand (Kirk, Donald) (Entered: 02/10/2009)
02/10/2009	<u>43</u>		RESPONSE in opposition re <u>32</u> MOTION to intervene <i>and Proposed Motion to Modify Receivership</i> filed by Securities and Exchange Commission. (Masel, Scott) (Entered: 02/10/2009)
02/11/2009	<u>44</u>		ORDER ATTACHED granting <u>36</u> Motion to Expand the Scope of Receivership. Signed by Judge Richard A. Lazzara on 2/11/2009. (SKH) (Entered: 02/11/2009)

			02/11/2009)
02/11/2009	<u>45</u>		ORDER denying <u>32</u> Motion to Intervene. See attached order for details. Hearing scheduled 2/12/09 at 9:30 a.m. is cancelled. Signed by Judge Richard A. Lazzara on 2/11/2009. (SKH) (Entered: 02/11/2009)
02/11/2009	46		NOTICE canceling Motion to Intervene hearing scheduled for 2/12/09 at 9:30 a.m. (SKH) (Entered: 02/11/2009)
02/17/2009	<u>47</u>		Unopposed MOTION for miscellaneous relief, specifically Possession of Funds in SunTrust Bank by Burton W. Wiand. (Nelson, Carl) (Entered: 02/17/2009)
02/17/2009	<u>48</u>		ORDER ATTACHED granting <u>47</u> Receiver's Unopposed Motion for Possession of Funds in Suntrust Bank. Signed by Judge Richard A. Lazzara on 2/17/2009. (SKH) (Entered: 02/17/2009)
02/18/2009	<u>49</u>		NOTICE by Securities and Exchange Commission of Compliance with Court's February 3, 2009 Order (Zamorano, Andre) (Entered: 02/18/2009)
02/20/2009	<u>50</u>		STATUS REPORT by Securities and Exchange Commission. (Masel, Scott) (Entered: 02/20/2009)
03/03/2009	<u>51</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval of Disposition of Leased Vehicle ( <i>Maserati</i> ) by Burton W. Wiand. (Nelson, Carl) (Entered: 03/03/2009)
03/03/2009	<u>52</u>		ORDER ATTACHED granting <u>51</u> Motion for Approval of Disposition of Leased Vehicle. Signed by Judge Richard A. Lazzara on 3/3/2009. (CCB) (Entered: 03/03/2009)
03/04/2009	<u>53</u>		Emergency MOTION for protective order by R. Craig Harrison. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Main Document Memorandum In Support of Motion for Protective Order, # <u>3</u> Supplement General Summary of Documents)(Harrison, R.) (Entered: 03/04/2009)
03/04/2009	54		NOTICE of Hearing on <u>53</u> Emergency Motion for Protective Order set for Friday, 3/6/2009 at 08:30 AM in Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 03/04/2009)
03/04/2009	55		ENDORSED ORDER directing Burton W. Wiand to respond to <u>53</u> Emergency Motion for Protective Order. Response due on or before Thursday 3/5/2009 at 5:00 p.m. Signed by Judge Richard A. Lazzara on 3/4/2009. (CCB) (Entered: 03/04/2009)

03/05/2009	<u>56</u>		MEMORANDUM in opposition re <u>53</u> Motion for protective order filed by Burton W. Wiand. (Trehan, Ashley) (Entered: 03/05/2009)
03/05/2009	<u>57</u>		DECLARATION of Ashley Bruce Trehan re <u>56</u> Memorandum in opposition by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Warranty Deed, # <u>2</u> Exhibit B – Warranty Deed, # <u>3</u> Exhibit C – Mortgage, # <u>4</u> Exhibit D – Verified Return of Service (R. Craig Harrison))(Trehan, Ashley) (Entered: 03/05/2009)
03/05/2009	<u>58</u>		MOTION for entry of clerk's default against Arthur Nadel by Securities and Exchange Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Masel, Scott) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 03/05/2009)
03/06/2009	<u>59</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Motion Hearing held on 3/6/2009 re <u>58</u> MOTION for entry of clerk's default against Arthur Nadel filed by Securities and Exchange Commission, <u>53</u> Emergency MOTION for protective order filed by R. Craig Harrison. Court Reporter: Claudia Spangler–Fry (MSS) (Entered: 03/06/2009)
03/06/2009	<u>60</u>		ORDER following hearing held this day denying without prejudice <u>53</u> Motion for protective order; denying without prejudice <u>58</u> Motion for entry of default. See attached order for details/deadlines. Signed by Judge Richard A. Lazzara on 3/6/2009. (SKH) (Entered: 03/06/2009)
03/06/2009	<u>61</u>		Unopposed MOTION for miscellaneous relief, specifically Expansion of Receivership to include Guy–Nadel Foundation, Inc. by Burton W. Wiand. (Morello, Gianluca) (Entered: 03/06/2009)
03/06/2009	<u>62</u>		DECLARATION of Receiver Burton W. Wiand re <u>61</u> Unopposed MOTION for miscellaneous relief, specifically Expansion of Receivership to include Guy–Nadel Foundation, Inc. by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Articles of Incorporation filed with Secretary of State, # <u>2</u> Exhibit B – Annual Reports filed with Secretary of State, # <u>3</u> Exhibit C – 2006 Tax Return, # <u>4</u> Exhibit D – General Warranty Deed, # <u>5</u> Exhibit E – General Warranty Deed, # <u>6</u> Exhibit F – General Warranty Deed)(Morello, Gianluca) (Entered: 03/06/2009)
03/06/2009	<u>63</u>		NOTICE of <i>Limited</i> Appearance by Todd Alan Foster on behalf of Arthur Nadel (Foster, Todd)

			(Entered: 03/06/2009)
03/06/2009	<u>64</u>		MOTION for miscellaneous relief, specifically Delay Entry of Default and to Modify Asset Freeze to Permit Payment of Reasonable Attorneys' Fees by Arthur Nadel. (Foster, Todd) (Entered: 03/06/2009)
03/06/2009	<u>65</u>		Unopposed MOTION for miscellaneous relief, specifically Approval of Disposition of Leased Vehicle ( <i>Mercedes-Benz</i> ) by Burton W. Wiand. (Nelson, Carl) (Entered: 03/06/2009)
03/09/2009	<u>66</u>		ORDER ATTACHED denying as moot <u>64</u> Motion to Delay Entry of Default and denying for failure to comply with 3.01(g) <u>64</u> Motion to Modify. Signed by Judge Richard A. Lazzara on 3/9/2009. (CCB) (Entered: 03/09/2009)
03/09/2009	<u>67</u>		ORDER ATTACHED granting <u>65</u> Motion for Approval of Disposition of 2008 Mercedes Benz. Signed by Judge Richard A. Lazzara on 3/9/2009. (CCB) (Entered: 03/09/2009)
03/09/2009	<u>68</u>		ORDER ATTACHED granting <u>61</u> Motion to Expand Scope of Receivership. Signed by Judge Richard A. Lazzara on 3/9/2009. (CCB) (Entered: 03/09/2009)
03/10/2009	<u>69</u>		Amended MOTION for attorney fees by Arthur Nadel. (Foster, Todd) (Entered: 03/10/2009)
03/10/2009	70		ENDORSED ORDER directing Securities and Exchange Commission to respond to <u>69</u> Amended Motion for Attorneys' Fee. Responses due on or before 3/18/2009. Signed by Judge Richard A. Lazzara on 3/10/2009. (SKH) (Entered: 03/10/2009)
03/10/2009	71		NOTICE OF HEARING on <u>69</u> Amended Motion for Payment of Reasonable Attorneys' Fees: Motion Hearing scheduled on Friday, March 20, 2009 at 1:30 p.m. in Courtroom 15B before Judge Richard A. Lazzara. (SKH) (Entered: 03/10/2009)
03/11/2009	<u>72</u>		ORDER ATTACHED directing movant to submit additional filings in accord with the attached order. Signed by Judge Richard A. Lazzara on 3/11/2009. (CCB) (JLH). (Entered: 03/11/2009)
03/12/2009	<u>73</u>		NOTICE by R. Craig Harrison of <i>Intent to Produce Documents Pursuant to Subpoena and Filing of Privilege Log</i> (Harrison, R.) (Entered: 03/12/2009)
03/13/2009			Mail returned as Undeliverable re: <u>60</u> Order on motion for protective orderOrder on motion for entry of default. Mail resent to Arthur Nadel with register number. (JLH) (Entered: 03/13/2009)

03/13/2009	<u>74</u>		Supplemental MOTION for attorney fees by Arthur Nadel. (Foster, Todd) (Entered: 03/13/2009)
03/16/2009	75		NOTICE OF RESCHEDULING HEARING AS TO TIME ONLY: The Motion Hearing hearing previously scheduled for 3/20/09 at 1:30 p.m. is rescheduled. New scheduling date and time: Motion Hearing set for 3/20/2009 at 11:00 a.m., Courtroom 15B, before Judge Richard A. Lazzara. (SKH) (Entered: 03/16/2009)
03/16/2009	<u>76</u>		**MOTION TERMINATED; COUNSEL CALLED, REFILED AT DOC 78** Fourth MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to include Lime Avenue Enterprises, LLC, and A Victorian Garden Florist, LLC by Burton W. Wiand. (Morello, Gianluca) Modified on 3/17/2009 (JLH). (Entered: 03/16/2009)
03/16/2009	<u>77</u>		**DOC TERMINATED** TO BE REFILED** COUNSEL NOTIFIED **DECLARATION of Receiver Burton W. Wiand re <u>76</u> Fourth MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to include Lime Avenue Enterprises, LLC, and A Victorian Garden Florist, LLC by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Articles of Organization (Lime), # <u>2</u> Exhibit B – Annual Reports (Lime), # <u>3</u> Exhibit C – 2007 Tax Return, # <u>4</u> Exhibit D – Parcel Detail, # <u>5</u> Exhibit E – Warranty Deed, # <u>6</u> Exhibit F – Articles of Organization and Amendment (Victorian Garden), # <u>7</u> Exhibit G – Annual Reports (Victorian Garden), # <u>8</u> Exhibit H – Fictitious Name Registration (Victorian Garden), # <u>9</u> Exhibit I – Balance Sheet (Lime))(Morello, Gianluca) Modified on 3/17/2009 (JLH). (Entered: 03/16/2009)
03/16/2009	<u>78</u>		Fourth MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to include Lime Avenue Enterprises, LLC, and A Victorian Garden Florist, LLC by Burton W. Wiand. (Morello, Gianluca) (Entered: 03/16/2009)
03/17/2009	<u>79</u>		ORDER ATTACHED granting <u>78</u> Motion to Expand Scope of Receivership. Signed by Judge Richard A. Lazzara on 3/17/2009. (CCB) (Entered: 03/17/2009)
03/17/2009	<u>80</u>		DECLARATION of Receiver, Burton W. Wiand re <u>78</u> Fourth MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to include Lime Avenue Enterprises, LLC, and A Victorian Garden Florist, LLC by Burton W. Wiand.

			(Attachments: # <u>1</u> Exhibit A – Articles of Organization (Lime), # <u>2</u> Exhibit B – Annual Reports (Lime), # <u>3</u> Exhibit C – 2007 Tax Return, # <u>4</u> Exhibit D – Parcel Detail, # <u>5</u> Exhibit E – Warranty Deed, # <u>6</u> Exhibit F – Articles of Organization and Amendment (Victorian Garden), # <u>7</u> Exhibit G – Annual Reports (Victorian Garden), # <u>8</u> Exhibit H – Fictitious Name Registration (Victorian Garden), # <u>9</u> Exhibit I – Balance Sheet (Lime))(Morello, Gianluca) (Entered: 03/17/2009)
03/17/2009	<u>81</u>		AMENDED ORDER ATTACHED amending docket 79. Signed by Judge Richard A. Lazzara on 3/17/2009. (CCB) (Entered: 03/17/2009)
03/17/2009	<u>82</u>		MOTION to intervene <i>and Opposition to Motion to Pay Attorney Fees Filed by Arthur Nadel and Memorandum in Support of Motion to Intervene and Opposition to Motion to Pay Attorney Fees</i> by Bruce Bell, Carri Bell, Beatrice Bienaime, Jean-Jacques Bienaime, Charles Daukas, Angela Daukas, Worth Helms, Harvey Hinrichs, Bettye Hinrichs, David Ingalls, Harold Johnson, Krista Toomre, Barrant Merrill, Adams Moore, Patrick Peavy, Donna Pickard, Ronald Rennick, Scott Shumway, Celt, Inc., Lineberger & Co., LLC, Robert Wilkes. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Bentley, Morgan) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 03/17/2009)
03/17/2009	83		ENDORSED ORDER directing an expedited response to <u>82</u> Motion to Intervene and Opposition to Motion to Pay Attorney Fees Filed by Arthur Nadel and Memorandum in Support of Motion to Intervene and Opposition to Motion to Pay Attorney Fees. The expedited response shall be filed on or before 12:00 noon on 3/19/09. Signed by Judge Richard A. Lazzara on 3/17/2009. (DMB) (Entered: 03/17/2009)
03/18/2009	<u>84</u>		RESPONSE in opposition re <u>69</u> Amended MOTION for attorney fees filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit 1, Receiver's Declaration, # <u>2</u> Exhibit 2, Magistrate Judge Johnson's Opinion, # <u>3</u> Exhibit 3, Judge Ungaro-Benages' Opinion)(Masel, Scott) (Entered: 03/18/2009)
03/19/2009	<u>85</u>		RESPONSE in opposition re <u>82</u> MOTION to intervene <i>and Opposition to Motion to Pay Attorney Fees Filed by Arthur Nadel and Memorandum in Support of Motion to Intervene and Opposition to</i>

			<i>Motion to Pay Attorney Fees</i> filed by Securities and Exchange Commission. (Masel, Scott) (Entered: 03/19/2009)
03/19/2009	<u>86</u>		RESPONSE to motion re <u>82</u> MOTION to intervene and Opposition to Motion to Pay Attorney Fees Filed by Arthur Nadel and Memorandum in Support of Motion to Intervene and Opposition to Motion to Pay Attorney Fees filed by Arthur Nadel. (Foster, Todd) (Entered: 03/19/2009)
03/19/2009	<u>87</u>		Unopposed MOTION for miscellaneous relief, specifically Approval of Disposition of Leased Vehicle (Volkswagen) by Burton W. Wiand. (Nelson, Carl) (Entered: 03/19/2009)
03/19/2009	<u>88</u>		ORDER ATTACHED denying <u>82</u> Motion to Intervene. See order for details. Signed by Judge Richard A. Lazzara on 3/19/2009. (SKH) (Entered: 03/19/2009)
03/19/2009	<u>89</u>		ORDER ATTACHED granting <u>87</u> Unopposed Motion for Approval of Disposition of 2009 Volkswagen. Signed by Judge Richard A. Lazzara on 3/19/2009. (CCB) (Entered: 03/19/2009)
03/20/2009	<u>90</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Motion Hearing held on 3/20/2009 re <u>69</u> Amended MOTION for attorney fees filed by Arthur Nadel. Court Reporter: Claudia Spangler-Fry. (MSS) (Entered: 03/20/2009)
03/20/2009	<u>91</u>		ORDER ATTACHED denying <u>69</u> Motion for attorney fees and addressing Defendant Nadel's due process argument. Signed by Judge Richard A. Lazzara on 3/20/2009. (SKH) (Entered: 03/20/2009)
03/23/2009	<u>92</u>		TRANSCRIPT of Motion Hearing held on 3/20/09 before Judge Richard A. Lazzara. Court Reporter Claudia Spangler-Fry, Telephone number 813-301-5575. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER or purchased through the Court Reporter. Redaction Request due 4/13/2009, Redacted Transcript Deadline set for 4/23/2009, Release of Transcript Restriction set for 6/22/2009. (CS) (Entered: 03/23/2009)
03/23/2009	93		NOTICE to counsel of filing of OFFICIAL TRANSCRIPT. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely

			electronically available to the public without redaction after 90 calendar days. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy from the court reporter or view the document at the clerk's office public terminal. Court Reporter: Claudia Spangler-Fry (CS) (Entered: 03/23/2009)
03/23/2009	<u>94</u>		Unopposed MOTION for miscellaneous relief, specifically Order relating to liquidation of personal property by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Morello, Gianluca) (Entered: 03/23/2009)
03/23/2009	<u>95</u>		First MOTION to extend time to Conduct Case Management Meeting by Securities and Exchange Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Masel, Scott) (Entered: 03/23/2009)
03/24/2009	96		ENDORSED ORDER granting <u>95</u> First MOTION to extend time to Conduct Case Management Meeting by Securities and Exchange Commission. The Case Management Report shall be filed on or before 5/4/09. Signed by Judge Richard A. Lazzara on 3/24/2009. (DMB) (Entered: 03/24/2009)
03/24/2009	<u>97</u>		ORDER ATTACHED granting <u>94</u> the Motion to Liquidate Certain Personal Property and granting the Motion for Authorization to Liquidate Terms of \$5,000 or Less in Value Without Further Order of the Court. See Order for complete details. Signed by Judge Richard A. Lazzara on 3/24/2009. (DMB) (Entered: 03/24/2009)
03/27/2009	<u>98</u>		Unopposed MOTION for miscellaneous relief, specifically Order granting possession of and title to the real property located in Fairview, NC by Burton W. Wiand. (Morello, Gianluca) (Entered: 03/27/2009)
03/27/2009	<u>99</u>		DECLARATION of Receiver, Burton W. Wiand re <u>98</u> Unopposed MOTION for miscellaneous relief, specifically Order granting possession of and title to the real property located in Fairview, NC by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Morello, Gianluca) (Entered: 03/27/2009)
03/30/2009	<u>100</u>		ORDER ATTACHED granting <u>98</u> Motion for Possession of and Title to Real Property. Signed by Judge Richard A. Lazzara on 3/30/2009. (CCB) (Entered: 03/30/2009)
03/31/2009	<u>101</u>		

			ORDER directing defendant Nadel to file all future pleadings with the Clerk of Court. The clerk is directed to docket the Letter received as a miscellaneous notice. Signed by Judge Richard A. Lazzara on 3/31/2009. (JLH) (Entered: 03/31/2009)
03/31/2009	<u>102</u>		NOTICE receiving letter from defendant Arthur Nadel dated 3/25/09 by Arthur Nadel (JLH) (Entered: 03/31/2009)
04/03/2009	<u>103</u>		NOTICE by Burton W. Wiand of <i>Filing the Receiver's First Interim Report</i> (Attachments: # <u>1</u> The Receiver's First Interim Report)(Nelson, Carl) (Entered: 04/03/2009)
04/06/2009	<u>104</u>		ANSWER to <u>1</u> Complaint by Arthur Nadel.(JLH) (Entered: 04/06/2009)
04/16/2009	<u>105</u>		MOTION to Approve Settlement by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Nelson, Carl) (Entered: 04/16/2009)
04/17/2009	<u>106</u>		ORDER ATTACHED granting <u>105</u> Motion to Approve Settlement between Receiver and Mr. David Monte. Signed by Judge Richard A. Lazzara on 4/17/2009. (CCB) (Entered: 04/17/2009)
04/17/2009	<u>107</u>		MOTION for miscellaneous relief, specifically Approval of Disposition of Helicopter by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Nelson, Carl) (Entered: 04/17/2009)
04/20/2009	<u>108</u>		ORDER ATTACHED granting <u>107</u> Motion for Approval of Disposition of Helicopter. Signed by Judge Richard A. Lazzara on 4/20/2009. (SKH) (Entered: 04/20/2009)
04/22/2009	<u>109</u>		MOTION to Approve Settlement by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Nelson, Carl) (Entered: 04/22/2009)
04/23/2009	<u>110</u>		ORDER ATTACHED granting <u>109</u> Motion to Approve Settlement. Signed by Judge Richard A. Lazzara on 4/23/2009. (SKH) (Entered: 04/23/2009)
04/23/2009	<u>111</u>		MOTION to strike <u>104</u> Answer to complaint <i>Motion to Strike Nadel's "Counterclaim"</i> by Burton W. Wiand. (Nelson, Carl) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 04/23/2009)
04/24/2009	112		ENDORSED ORDER granting <u>111</u> Motion to strike. Signed by Judge Richard A. Lazzara on 4/24/2009. (SKH) (Entered: 04/24/2009)
04/28/2009	<u>113</u>		

			MOTION to Approve Settlement <i>re: Andrew Lesnik</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Nelson, Carl) (Entered: 04/28/2009)
04/28/2009	<u>114</u>		ORDER ATTACHED granting <u>113</u> Receiver's Motion to Approve Settlement. Signed by Judge Richard A. Lazzara on 4/28/2009. (DMB) (Entered: 04/28/2009)
04/29/2009	<u>115</u>		MOTION for miscellaneous relief, specifically Order allowing Cohen, Jayson and Foster, P.A. to assign the Promissory Note and Mortgage for Jefferson Pines Condominium to the Receiver by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Nelson, Carl) (Entered: 04/29/2009)
04/30/2009	<u>116</u>		ORDER ATTACHED granting <u>115</u> Motion for Possession of Note and Mortgage for Jefferson Pines Condominium. Signed by Judge Richard A. Lazzara on 4/30/2009. (CCB) (Entered: 04/30/2009)
04/30/2009	<u>117</u>		MOTION to Approve Settlement <i>with GE Capital Corporation and Fifth Third Bank regarding Learjet 31A</i> by Burton W. Wiand. (Attachments: # <u>1</u> Settlement Agreement, # <u>2</u> Exhibit A – FAA Bill of Sale, # <u>3</u> Exhibit B – Long form Bill of Sale, # <u>4</u> Exhibit C – Affidavit of Acceptance of Delivery, # <u>5</u> Exhibit D – Form of Lender's Release)(Nelson, Carl) (Entered: 04/30/2009)
04/30/2009	<u>118</u>		MOTION to Approve Settlement <i>with VFS Financing, Inc. regarding Cessna 550</i> by Burton W. Wiand. (Attachments: # <u>1</u> Settlement Agreement, # <u>2</u> Exhibit A – FAA Bill of Sale, # <u>3</u> Exhibit B – Long form of Bill of Sale, # <u>4</u> Exhibit C – Affidavit for Acceptance of Delivery, # <u>5</u> Exhibit D – Form of Lender's Release)(Nelson, Carl) (Entered: 04/30/2009)
05/01/2009	<u>119</u>		ORDER ATTACHED granting [117 & 118] Motions to Approve Settlement with regard to Learjet 31A and Cessna 550 owned by Tradewind LLC. Signed by Judge Richard A. Lazzara on 5/1/2009. (CCB) (Entered: 05/01/2009)
05/01/2009	<u>120</u>		First MOTION to extend time to File Case Management Report by Securities and Exchange Commission. (Masel, Scott) (Entered: 05/01/2009)
05/04/2009	121		ENDORSED ORDER granting <u>120</u> Motion to Extend Time to File CMR up to and including 5/11/2009. Signed by Judge Richard A. Lazzara on 5/4/2009. (CCB) (Entered: 05/04/2009)

05/05/2009	<u>122</u>		MOTION to Approve Settlement <i>re: the Gary L. Musser and Irene H. Musser Family Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Nelson, Carl) (Entered: 05/05/2009)
05/05/2009	<u>123</u>		RESPONSE to motion re <u>122</u> MOTION to Approve Settlement <i>re: the Gary L. Musser and Irene H. Musser Family Trust</i> filed by Gary Musser. (RFM) (Entered: 05/05/2009)
05/05/2009	<u>124</u>		ORDER ATTACHED denying <u>122</u> Motion to Approve Settlement with Gary L. Musser and Irene H. Musser Family Trust. Signed by Judge Richard A. Lazzara on 5/5/2009. (CCB) (Entered: 05/05/2009)
05/07/2009	<u>125</u>		MOTION to Approve Settlement <i>Receiver's Renewed Motion to Approve Settlement re: the Gary L. Musser and Irene H. Musser Family Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Nelson, Carl) (Entered: 05/07/2009)
05/07/2009	<u>126</u>		ORDER granting <u>125</u> Motion to Approve Settlement between the Receiver and the Gary L. Musser and Irene H. Musser Family Trust. See order for details. Signed by Judge Richard A. Lazzara on 5/7/2009. (SKH) (Entered: 05/07/2009)
05/11/2009	<u>127</u>		CASE MANAGEMENT REPORT. (Masel, Scott) (Entered: 05/11/2009)
05/12/2009	<u>128</u>		CASE MANAGEMENT AND SCHEDULING ORDER: Amended Pleadings due by 11/8/2009, Joinder of Parties due by 11/8/2009, Discovery due by 7/31/2010, Dispositive motions due by 10/31/2010, Pretrial statement due by 11/29/2010, Plaintiff disclosure of expert report due by 6/16/2010, Defendant disclosure of expert report due by 6/16/2010, Pretrial Conference set for 12/2/2010 at 10:00 AM in Tampa Courtroom 12 B before Magistrate Judge Thomas B. McCoun III, Bench Trial set for 1/3/2011 at 9:00 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. Signed by Judge Richard A. Lazzara on 5/12/2009. (MSS) (Entered: 05/12/2009)
05/13/2009	<u>129</u>		First MOTION for attorney fees <i>for ORDER AWARDING FEES, COSTS, AND REIMBURSEMENT OF COSTS TO RECEIVER AND HIS PROFESSIONALS</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Receiver's First Interim Report, # <u>3</u> Exhibit C – Receiver's fees through 02–28–09, # <u>4</u> Exhibit D – Home Front

			Homes Litigation through 02-28-09, # <u>5</u> Exhibit E – Categorization and summary of costs (Fowler White) through 02-28-09, # <u>6</u> Exhibit F – Fee Schedule, # <u>7</u> Exhibit G – Fowler White Fees through 02-28-09, # <u>8</u> Exhibit H – PDR CPA bill through 02-28-09, # <u>9</u> Exhibit I – Riverside bill through 02-28-09, # <u>10</u> Exhibit J – E-Hounds bill through 02-28-09, # <u>11</u> Exhibit K – Proposed Order)(Nelson, Carl) (Entered: 05/13/2009)
05/14/2009	<u>130</u>		ORDER granting <u>129</u> Motion for attorney fees. (See order for details) Signed by Judge Richard A. Lazzara on 5/14/2009. (MSS) (Entered: 05/14/2009)
05/14/2009	<u>131</u>		Unopposed MOTION for leave to file Complaint Pursuant to Title 14 CFR Part 16 by Burton W. Wiand. (Nelson, Carl) (Entered: 05/14/2009)
05/14/2009	<u>132</u>		ORDER ATTACHED granting <u>131</u> Motion for Leave to File Complaint against the City of Venice, Florida with regard to Venice Jet Center, LLC. Signed by Judge Richard A. Lazzara on 5/14/2009. (CCB) (Entered: 05/14/2009)
05/14/2009	<u>133</u>		MOTION to Approve Settlement <i>re: Philip and Janice Day</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement)(Nelson, Carl) (Entered: 05/14/2009)
05/15/2009	<u>134</u>		ORDER ATTACHED granting <u>133</u> Motion to Approve Settlement with Philip and Janice Day. Signed by Judge Richard A. Lazzara on 5/15/2009. (CCB) (Entered: 05/15/2009)
05/19/2009	<u>135</u>		MOTION to Approve Settlement <i>re: Truman N. Brooks</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement, # <u>2</u> Exhibit B – Promissory Note)(Nelson, Carl) (Entered: 05/19/2009)
05/20/2009	<u>136</u>		ENDORSED ORDER granting <u>135</u> Motion to Approve Settlement with Truman N. Brooks. Signed by Judge Richard A. Lazzara on 5/20/2009. (CCB) (Entered: 05/20/2009)
05/22/2009	<u>137</u>		MOTION to Approve Settlement <i>re: Victor and Susan Trzeciak</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Nelson, Carl) (Entered: 05/22/2009)
05/22/2009	<u>138</u>		ORDER granting <u>137</u> Receiver's Motion to Approve Settlement. Signed by Judge Richard A. Lazzara on 5/22/2009. (SKH) (Entered: 05/22/2009)
06/02/2009	<u>139</u>		MOTION for miscellaneous relief, specifically to Reappoint Receiver by Burton W. Wiand.

			(Attachments: # <u>1</u> Exhibit A – Proposed Order Reappointing Receiver)(Nelson, Carl) (Entered: 06/02/2009)
06/03/2009	<u>140</u>		ORDER granting <u>139</u> Motion to Reappoint Receiver. Signed by Judge Richard A. Lazzara on 6/3/2009. (SKH) (Entered: 06/03/2009)
06/09/2009	<u>141</u>		STATUS REPORT <i>Receiver's Second Interim Report</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report March–April 2009)(Nelson, Carl) (Entered: 06/09/2009)
06/29/2009	<u>142</u>		MOTION to Approve Settlement <i>re: Luis Perez</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement)(Nelson, Carl) (Entered: 06/29/2009)
06/29/2009	<u>143</u>		ORDER ATTACHED granting <u>142</u> Receiver's Motion to Approve Settlement. Signed by Judge Richard A. Lazzara on 6/29/2009. (DMB) (Entered: 06/29/2009)
07/07/2009	<u>144</u>		Unopposed MOTION for miscellaneous relief, specifically Order authorizing the transfer of title to the '06 Subaru Legacy Outback to Venice Jet Center, LLC by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Subaru Certificate of Title, # <u>2</u> Exhibit B – Nadel letter)(Nelson, Carl) (Entered: 07/07/2009)
07/07/2009	<u>145</u>		ORDER granting <u>144</u> Motion to Approve Disposition of 2006 Subaru in accord with the attached order. Signed by Judge Richard A. Lazzara on 7/7/2009. (CCB) (Entered: 07/07/2009)
07/07/2009	<u>146</u>		Unopposed MOTION for miscellaneous relief, specifically Order granting motion for possession of and title to the real property located at 15576 Fruitville Rd. in Sarasota, Florida by Burton W. Wiand. (Morello, Gianluca) (Entered: 07/07/2009)
07/07/2009	<u>147</u>		DECLARATION of Receiver, Burton W. Wiand re <u>146</u> Unopposed MOTION for miscellaneous relief, specifically Order granting motion for possession of and title to the real property located at 15576 Fruitville Rd. in Sarasota, Florida by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N)(Morello, Gianluca) (Entered: 07/07/2009)

07/08/2009	<u>148</u>		ATTACHED ORDER granting <u>146</u> the Receiver's Motion for Possession of and Title to the real property located at 15576 Fruitville Road, Sarasota, FL. Signed by Judge Richard A. Lazzara on 7/8/2009. (CCB) (Entered: 07/08/2009)
07/08/2009	<u>149</u>		MOTION to Approve Settlement <i>re: Robert Bullock</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement with Durable General Power of Attorney)(Nelson, Carl) (Entered: 07/08/2009)
07/08/2009	<u>150</u>		ORDER ATTACHED granting <u>149</u> Motion to Approve Settlement between the Receiver and Robert Bullock in the sum of \$334,945.40. Signed by Judge Richard A. Lazzara on 7/8/2009. (CCB) (Entered: 07/08/2009)
07/14/2009	<u>151</u>		Fifth MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Viking Oil & Gas, LLC by Burton W. Wiand. (Nelson, Carl) (Entered: 07/14/2009)
07/14/2009	<u>152</u>		DECLARATION of Burton W. Wiand, Receiver re <u>151</u> Fifth MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Viking Oil & Gas, LLC by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Viking Oil & Gas, LLC, Articles of Organization, # <u>2</u> Exhibit B – Viking Oil & Gas, LLC, Annual Reports, # <u>3</u> Exhibit C – Quest Energy Management Transactions)(Nelson, Carl) (Entered: 07/14/2009)
07/15/2009	<u>153</u>		ORDER ATTACHED granting <u>151</u> Motion to Expand Scope of Receivership to include Viking Oil & Gas LLC. Signed by Judge Richard A. Lazzara on 7/15/2009. (CCB) (Entered: 07/15/2009)
07/16/2009	<u>154</u>		Unopposed MOTION for miscellaneous relief, specifically Order transferring all right, title, and interest in certain shares and notes relating to Bonds.com Group, Inc. by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Stock Certificates, # <u>2</u> Exhibit B – Promissory Notes)(Nelson, Carl) (Entered: 07/16/2009)
07/20/2009	<u>155</u>		RESPONSE in opposition re <u>154</u> Unopposed MOTION for miscellaneous relief, specifically Order transferring all right, title, and interest in certain shares and notes relating to Bonds.com Group, Inc. filed by LandMark Bank of Florida. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Hoeck, Kathryn) (Entered: 07/20/2009)

07/21/2009	<u>156</u>		MOTION to Approve Settlement <i>re: The James A. Carty Revocable Trust Dated 9/28/67</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Nelson, Carl) (Entered: 07/21/2009)
07/21/2009	<u>157</u>		NOTICE of Appearance by Kathryn B. Hoeck on behalf of LandMark Bank of Florida (Hoeck, Kathryn) (Entered: 07/21/2009)
07/21/2009	<u>158</u>		NOTICE of Appearance by J. Thomas Cardwell on behalf of LandMark Bank of Florida (Cardwell, J.) (Entered: 07/21/2009)
07/21/2009	<u>159</u>		ORDER granting <u>156</u> Motion to Approve Settlement. See order for details. Signed by Judge Richard A. Lazzara on 7/21/2009. (MSS) (Entered: 07/21/2009)
07/21/2009	<u>160</u>		Unopposed MOTION for leave to file Reply to Non-Party's Objection to Receiver's Unopposed Motion for Recovery of Assets by Burton W. Wiand. (Nelson, Carl) (Entered: 07/21/2009)
07/21/2009	161		ENDORSED ORDER granting <u>160</u> Motion for Leave to File Reply within ten (10) days from the date of this order. Signed by Judge Richard A. Lazzara on 7/21/2009. (CCB) (Entered: 07/21/2009)
07/23/2009	<u>162</u>		CORRESPONDENCE to the court from Peg Nadel (MSS) (Entered: 07/23/2009)
07/23/2009	163		ENDORSED ORDER: The clerk is directed to send a copy of the letter appearing at docket 162 to Plaintiff's counsel and the Receiver's counsel. Signed by Judge Richard A. Lazzara on 7/23/2009. (CCB) (Entered: 07/23/2009)
07/27/2009	<u>164</u>		Unopposed MOTION for attorney fees <i>SECOND Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Receiver's Second Interim Report, # <u>3</u> Exhibit C – Receiver (Receivership), # <u>4</u> Exhibit D – Receiver (Home Front Homes), # <u>5</u> Exhibit E – Receiver (Carolina Mountain Land Conservancy), # <u>6</u> Exhibit F – Receiver (Recovery from Investors), # <u>7</u> Exhibit G – Receiver (Recovery from Chris & Neil Moody), # <u>8</u> Exhibit H – Receiver (Recovery of Commissions), # <u>9</u> Exhibit I – Categorization and Summary of Costs Incurred by Fowler White, # <u>10</u> Exhibit J – Fowler White Fee Schedule, # <u>11</u> Exhibit K, part 1 of 2 – Fowler White (Receivership), # <u>12</u> Exhibit K, part 2 of 2 – Fowler White (Receivership), # <u>13</u> Exhibit L

			– Fowler White (Home Front Homes), # <u>14</u> Exhibit M – Fowler White (Carolina Mountain Land Conservancy), # <u>15</u> Exhibit N – Fowler White (Recovery from Investors), # <u>16</u> Exhibit O – Fowler White (Recovery from Chris & Neil Moody), # <u>17</u> Exhibit P – Fowler White (Recovery of Commissions), # <u>18</u> Exhibit Q – PDR Certified Public Accountants, # <u>19</u> Exhibit R – Riverside Financial Group, # <u>20</u> Exhibit S – E-Hounds, Inc., # <u>21</u> Exhibit T – Proposed Order Granting Motion)(Nelson, Carl) (Entered: 07/27/2009)
07/28/2009	<u>165</u>		ORDER granting <u>164</u> Motion for attorney fees. (See order) Signed by Judge Richard A. Lazzara on 7/28/2009. (MSS) (Entered: 07/28/2009)
08/04/2009	<u>166</u>		REPLY to response to motion re <u>154</u> Unopposed MOTION for miscellaneous relief, specifically Order transferring all right, title, and interest in certain shares and notes relating to Bonds.com Group, Inc. filed by Burton W. Wiand. (Nelson, Carl) (Entered: 08/04/2009)
08/04/2009	<u>167</u>		RESPONSE re <u>166</u> Reply to response to motion <i>for recovery of bonds.com assets</i> filed by LandMark Bank of Florida. (Hoeck, Kathryn) (Entered: 08/04/2009)
08/04/2009	<u>168</u>		AFFIDAVIT of Christopher D. Moody re: <u>154</u> Unopposed MOTION for miscellaneous relief, specifically Order transferring all right, title, and interest in certain shares and notes relating to Bonds.com Group, Inc., <u>166</u> Reply to response to motion by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Summary of Transactions, # <u>2</u> Exhibit B – Bonds.com Stock, # <u>3</u> Exhibit C – Bonds.com Notes, # <u>4</u> Exhibit D – Stock Pledge Agreement)(Nelson, Carl) (Entered: 08/04/2009)
08/05/2009	<u>169</u>		ORDER ATTACHED granting <u>154</u> Receiver's Motion to Recover Assets of 3,116,171 common shares of stock in Bonds.com Group, Inc. and two secured promissory notes made by Bonds.com Group, Inc. Signed by Judge Richard A. Lazzara on 8/5/2009. (CCB) (Entered: 08/05/2009)
08/07/2009	<u>170</u>		Unopposed MOTION for miscellaneous relief, specifically to Expand Receivership (to Include Home Front Homes LLC) by Burton W. Wiand. (Morello, Gianluca) (Entered: 08/07/2009)
08/07/2009	<u>171</u>		DECLARATION of Burton W. Wiand, as Receiver re <u>170</u> Unopposed MOTION for miscellaneous relief, specifically to Expand Receivership (to

			Include Home Front Homes LLC) by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Morello, Gianluca) (Entered: 08/07/2009)
08/10/2009	<u>172</u>		ORDER ATTACHED granting <u>170</u> Motion to Expand Receivership to include Home Front Homes LLC. Signed by Judge Richard A. Lazzara on 8/10/2009. (CCB) (Entered: 08/10/2009)
08/11/2009	<u>173</u>		CORRESPONDENCE to the Court from Arthur Nadel (MSS) (Entered: 08/11/2009)
08/11/2009	<u>174</u>		Unopposed MOTION for miscellaneous relief, specifically for Leave to Retain Counsel by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Agreement)(Nelson, Carl) (Entered: 08/11/2009)
08/12/2009	<u>175</u>		ORDER ATTACHED granting <u>174</u> Receiver's Motion to Retain Counsel. Signed by Judge Richard A. Lazzara on 8/12/2009. (CCB) (Entered: 08/12/2009)
08/17/2009	<u>176</u>		STATUS REPORT <i>Receiver's Third Interim Report (5/15/09 – 8/12/09)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report 5/1/09 – 6/30/09)(Nelson, Carl) (Entered: 08/17/2009)
08/25/2009	<u>177</u>		MOTION for miscellaneous relief, specifically to Enjoin State Court Proceedings and for Possession of Jewelry by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Paolino complaint, # <u>2</u> Exhibit 2 – Paolino order appointing receiver)(Nelson, Carl) (Entered: 08/25/2009)
08/25/2009	<u>178</u>		AFFIDAVIT of Christopher D. Moody and Neil V. Moody re: <u>177</u> MOTION for miscellaneous relief, specifically to Enjoin State Court Proceedings and for Possession of Jewelry by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Jewelry Inventory, # <u>2</u> Exhibit B – Transaction Summary, # <u>3</u> Exhibit C – Stock Issuance Agreement, # <u>4</u> Exhibit D – Transfer Agreement)(Nelson, Carl) (Entered: 08/25/2009)
08/26/2009	<u>179</u>		ORDER ATTACHED directing interested parties to respond to Receiver's Motion to Enjoin State Court Proceedings and for Possession of Jewelry. Expedited responses due by 12:00 p.m. on 9/3/2009. Receiver/Clerk: See special mailing instructions. Signed by Judge Richard A. Lazzara on 8/26/2009. (SKH) (Entered: 08/26/2009)
08/26/2009	180		

			NOTICE of Hearing on Motion <u>177</u> for miscellaneous relief, specifically to Enjoin State Court Proceedings and for Possession of Jewelry: Motion Hearing set for Friday, September 4, 2009, at 9:30 a.m., in Courtroom 15B before Judge Richard A. Lazzara. (SKH) (Entered: 08/26/2009)
08/26/2009	<u>181</u>		RESPONSE in opposition re <u>177</u> MOTION for miscellaneous relief, specifically to Enjoin State Court Proceedings and for Possession of Jewelry filed by Louis Paolino. (Bentley, Morgan) (Entered: 08/26/2009)
08/27/2009	<u>182</u>		Unopposed MOTION for leave to file Reply in Support of Receiver's Motion to Enjoin State Court Proceedings and for Possession of Jewelry by Burton W. Wiand. (Nelson, Carl) (Entered: 08/27/2009)
08/27/2009	<u>183</u>		ORDER ATTACHED directing Receiver to reply on or before 9/3/2009 and cancelling hearing on 9/4/2009. Signed by Judge Richard A. Lazzara on 8/27/2009. (CCB) (Entered: 08/27/2009)
08/27/2009	184		NOTICE cancelling hearing scheduled for 9/4/2009. (CCB) (Entered: 08/27/2009)
08/27/2009	185		ENDORSED ORDER denying as moot <u>182</u> Motion for Leave to File Reply. See docket 183. Signed by Judge Richard A. Lazzara on 8/27/2009. (CCB) (Entered: 08/27/2009)
09/03/2009	<u>186</u>		MOTION to Approve Settlement <i>re: John Cart</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement re John Cart)(Nelson, Carl) (Entered: 09/03/2009)
09/03/2009	<u>187</u>		ORDER ATTACHED granting <u>186</u> Motion to Approve Settlement. Signed by Judge Richard A. Lazzara on 9/3/2009. (SKH) (Entered: 09/03/2009)
09/03/2009	<u>188</u>		REPLY to response to motion re <u>177</u> MOTION for miscellaneous relief, specifically to Enjoin State Court Proceedings and for Possession of Jewelry filed by Burton W. Wiand. (Nelson, Carl) (Entered: 09/03/2009)
09/03/2009	<u>189</u>		NOTICE by Burton W. Wiand <i>of Filing 9/2/09 Correspondence to Judge Koeltl</i> (Attachments: # <u>1</u> Exhibit Letter to Judge Koeltl)(Morello, Gianluca) (Entered: 09/03/2009)
09/03/2009	<u>190</u>		ORDER ATTACHED granting <u>177</u> Motion to Enjoin State Court Proceeding and to Transfer Property. Signed by Judge Richard A. Lazzara on

			9/3/2009. (CCB) (Entered: 09/03/2009)
09/04/2009	<u>191</u>		MOTION for reconsideration re <u>190</u> Order on Motion for Miscellaneous Relief <i>and Clarification</i> by Louis Paolino. (Bentley, Morgan) (Entered: 09/04/2009)
09/08/2009	<u>192</u>		ORDER ATTACHED denying <u>191</u> Motion for Reconsideration. Signed by Judge Richard A. Lazzara on 9/8/2009. (CCB) (Entered: 09/08/2009)
09/11/2009	<u>193</u>		First MOTION to intervene by William F Bishop. (Attachments: # <u>1</u> Exhibit Motion to Intervene, Dissolve Injunction)(Essenson, James) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 09/11/2009)
09/14/2009	194		ENDORSED ORDER directing Securities and Exchange Commission and Burton W. Wiand to respond to <u>193</u> First Motion to Intervene. Responses due on or before 9/23/2009. Signed by Judge Richard A. Lazzara on 9/14/2009. (CCB) (Entered: 09/14/2009)
09/14/2009	195		NOTICE of Hearing on <u>193</u> First Motion to Intervene set for Friday, 9/25/2009 at 1:30 PM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 09/14/2009)
09/16/2009	<u>196</u>		MOTION to Approve Settlement <i>re: Steven D. Wood Living Trust</i> by Burton W. Wiand. (Nelson, Carl) (Entered: 09/16/2009)
09/17/2009	<u>197</u>		ORDER ATTACHED granting <u>196</u> Receiver's Motion to Approve Settlement with Steven D. Wood Living Trust. Signed by Judge Richard A. Lazzara on 9/17/2009. (CCB) (Entered: 09/17/2009)
09/21/2009	<u>198</u>		MOTION for J. Thomas Cardwell to withdraw as attorney by LandMark Bank of Florida. (Hoeck, Kathryn) (Entered: 09/21/2009)
09/21/2009	199		ENDORSED ORDER granting <u>198</u> Motion to withdraw as attorney. J. Thomas Cardwell is relieved of any further responsibility in the case. Signed by Judge Richard A. Lazzara on 9/21/2009. (SKH) (Entered: 09/21/2009)
09/21/2009	<u>200</u>		Unopposed MOTION for attorney fees <i>Third Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and his Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Receiver's Third Interim Report, # <u>3</u> Exhibit C – Receiver – Receivership

		<p>invoice, # <u>4</u> Exhibit D – Receiver – Home Front Homes v. Bishop invoice, # <u>5</u> Exhibit E – Receiver – Carolina Mountain Land Conservancy invoice, # <u>6</u> Exhibit F – Receiver – Recovery from Investors invoice, # <u>7</u> Exhibit G – Receiver – Recovery from Moodys invoice, # <u>8</u> Exhibit H – Receiver – Recovery of Commissions invoice, # <u>9</u> Exhibit I – Fowler White – Categorization and summary of costs, # <u>10</u> Exhibit J – Fowler White – Fee schedule, # <u>11</u> Exhibit K – Fowler White – Receivership invoice (part 1 of 2), # <u>12</u> Exhibit K – Fowler White – Receivership invoice (part 2 of 2), # <u>13</u> Exhibit L – Fowler White – Home Front Homes v. Bishop invoice, # <u>14</u> Exhibit M – Fowler White – Carolina Mountain Land Conservancy invoice, # <u>15</u> Exhibit N – Fowler White – Recovery from Investors invoice, # <u>16</u> Exhibit O – Fowler White – Recovery from Moodys invoice, # <u>17</u> Exhibit P – Fowler White – Recovery of Commissions invoice, # <u>18</u> Exhibit Q – PDR invoice, # <u>19</u> Exhibit R – Riverside Financial Group invoice, # <u>20</u> Exhibit S – E-Hounds invoice, # <u>21</u> Exhibit T – Proposed Order)(Nelson, Carl) (Entered: 09/21/2009)</p>
09/23/2009	<u>201</u>	ORDER granting <u>200</u> Motion for attorney fees, costs and reimbursement of cost to receiver. (see order for further details). Signed by Judge Richard A. Lazzara on 9/23/2009. (JLH) (Entered: 09/23/2009)
09/23/2009	<u>202</u>	MOTION to Approve Settlement <i>re: Pauline Yip, as Executrix of the Estate of Luke Yip</i> by Burton W. Wiand. (Nelson, Carl) (Entered: 09/23/2009)
09/23/2009	<u>203</u>	ORDER ATTACHED granting <u>202</u> Receiver's Motion to Approve Settlement with Pauline Yip, executive of estate of Luke Yip. Signed by Judge Richard A. Lazzara on 9/23/2009. (CCB) (Entered: 09/23/2009)
09/23/2009	<u>204</u>	RESPONSE in opposition re <u>193</u> First MOTION to intervene <i>and re [193-2] motion to dissolve injunction</i> filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 09/23/2009)
09/23/2009	<u>205</u>	DECLARATION of Burton W. Wiand, Receiver re <u>204</u> Response in opposition to motion by Burton W. Wiand. (Morello, Gianluca) (Entered: 09/23/2009)
09/23/2009	<u>206</u>	RESPONSE in opposition re <u>193</u> First MOTION to intervene <i>and Joinder in Receiver's Response</i> filed by Securities and Exchange Commission. (Masel, Scott) (Entered: 09/23/2009)

09/24/2009	<u>207</u>		ORDER ATTACHED denying <u>193</u> Bishop's Motion to Intervene. Signed by Judge Richard A. Lazzara on 9/24/2009. (CCB) (Entered: 09/24/2009)
09/24/2009	208		NOTICE canceling motion to intervene hearing scheduled for 9/25/2009 at 1:30 p.m. (CCB) (Entered: 09/24/2009)
10/16/2009	<u>209</u>		MOTION to Approve Settlement <i>re: the Irrevocable Trust of Ben Montgomery Cart</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement re: Ben M. Cart, Trustee)(Nelson, Carl) (Entered: 10/16/2009)
10/19/2009	<u>210</u>		ORDER ATTACHED granting <u>209</u> Motion to Approve Settlement between the Receiver and The Irrevocable Trust of Ben Montgomery Cart within ten days of the date of the Order. Signed by Judge Richard A. Lazzara on 10/19/2009. (SKH) (Entered: 10/19/2009)
10/20/2009	<u>211</u>		MOTION to Approve Settlement <i>re: Virginia Tanner</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re Virginia Tanner)(Nelson, Carl) (Entered: 10/20/2009)
10/20/2009	<u>212</u>		ORDER ATTACHED granting <u>211</u> Motion to Approve Settlement between the Receiver and Millennium Trust – FBO Virginia Tanner. See order for details. Signed by Judge Richard A. Lazzara on 10/20/2009. (SKH) (Entered: 10/20/2009)
10/29/2009	<u>213</u>		MOTION to compel by Earl Niemoth, Thomas J. Neff. (JLH) (Entered: 10/29/2009)
10/30/2009	214		ENDORSED ORDER: Upon due consideration of the court file, it is ordered and adjudged that the Motion to Compel (Dkt. 213) is denied because the motion has no basis in the law. Signed by Judge Richard A. Lazzara on 10/30/2009. (CCB) (Entered: 10/30/2009)
11/03/2009	<u>215</u>		MOTION to Approve Settlement <i>re: The Wintsch Family Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re The Wintsch Family Trust)(Nelson, Carl) (Entered: 11/03/2009)
11/03/2009	<u>216</u>		MOTION to Approve Settlement <i>re: Robert Beale and Virginia Beale</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re the Beale's)(Nelson, Carl) (Entered: 11/03/2009)

11/03/2009	<u>217</u>		MOTION to Approve Settlement <i>re: John F. Fletcher</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re: John F. Fletcher)(Nelson, Carl) (Entered: 11/03/2009)
11/03/2009	<u>218</u>		MOTION to Approve Settlement <i>re: Stanley Wengert</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re: Stanley Wengert)(Nelson, Carl) (Entered: 11/03/2009)
11/03/2009	<u>219</u>		ORDER ATTACHED granting <u>215</u> Motion to Approve Settlement between the Receiver and The Wintsch Family Trust. Signed by Judge Richard A. Lazzara on 11/3/2009. (SKH) (Entered: 11/03/2009)
11/03/2009	<u>220</u>		ORDER ATTACHED granting <u>216</u> Motion to Approve Settlement between the Receiver and Robert and Virginia Beale. Signed by Judge Richard A. Lazzara on 11/3/2009. (SKH) (Entered: 11/03/2009)
11/03/2009	<u>221</u>		ORDER ATTACHED granting <u>217</u> Motion to Approve Settlement between the Receiver and John F. Fletcher. Signed by Judge Richard A. Lazzara on 11/3/2009. (SKH) (Entered: 11/03/2009)
11/03/2009	<u>222</u>		ORDER ATTACHED granting <u>218</u> Motion to Approve Settlement between the Receiver and Stanley Wengert. Signed by Judge Richard A. Lazzara on 11/3/2009. (SKH) (Entered: 11/03/2009)
11/03/2009	<u>223</u>		MOTION to intervene by Earl Niemoth. (RFM) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 11/03/2009)
11/04/2009	<u>224</u>		ORDER denying <u>223</u> Motion to intervene for the reasons set forth in the attached order. Signed by Judge Richard A. Lazzara on 11/4/2009. (SKH) (Entered: 11/04/2009)
11/06/2009	<u>225</u>		MOTION to Approve Settlement <i>re: Castor Family Revocable Living Trust</i> by Burton W. Wiand. (Nelson, Carl) (Entered: 11/06/2009)
11/06/2009	<u>226</u>		ORDER ATTACHED granting <u>225</u> the Receiver's Motion to Approve Settlement with the Castor Family Revocable Trust. Signed by Judge Richard A. Lazzara on 11/6/2009. (CCB) (Entered: 11/06/2009)
11/06/2009	<u>227</u>		MOTION to Approve Settlement <i>re: William Gasparrini</i> by Burton W. Wiand. (Nelson, Carl) (Entered: 11/06/2009)

11/06/2009	<u>228</u>		ORDER ATTACHED granting <u>227</u> the Receiver's Motion to Approve Settlement with William Gasparrini. Signed by Judge Richard A. Lazzara on 11/6/2009. (CCB) (Entered: 11/06/2009)
11/13/2009	<u>229</u>		NOTICE of change of address by Gianluca Morello (Morello, Gianluca) (Entered: 11/13/2009)
11/13/2009	<u>230</u>		AMENDED MOTION to intervene by Earl Niemoth, Thomas J. Neff. (BES) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 11/13/2009)
11/13/2009	<u>231</u>		ORDER ATTACHED denying <u>230</u> Amended Motion to Intervene. Signed by Judge Richard A. Lazzara on 11/13/2009. (CCB) (Entered: 11/13/2009)
11/16/2009	<u>232</u>		NOTICE of change of address by Maya M. Lockwood (Lockwood, Maya) (Entered: 11/16/2009)
11/19/2009	<u>233</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval of Transfer of Title to Vehicle by Burton W. Wiand. (Morello, Gianluca) (Entered: 11/19/2009)
11/20/2009	<u>234</u>		ORDER ATTACHED granting <u>233</u> Receiver's Motion for Approval of Transfer of Subaru to Tradewind, LLC for benefit of Receivership. Signed by Judge Richard A. Lazzara on 11/20/2009. (CCB) (Entered: 11/20/2009)
11/23/2009	<u>235</u>		NOTICE OF APPEAL as to <u>207</u> Order on motion to intervene by William F Bishop. (Filing fee not paid) (Essenson, James) (Entered: 11/23/2009)
11/23/2009	<u>236</u>		MOTION for issuance of order to show cause <i>as to Why Conservation Easement Should Not Be Extinguished</i> by Burton W. Wiand. (Nelson, Carl) (Entered: 11/23/2009)
11/23/2009	<u>237</u>		DECLARATION of Carl R. Nelson re <u>236</u> MOTION for issuance of order to show cause <i>as to Why Conservation Easement Should Not Be Extinguished</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Deed of Conservation Easement, # <u>2</u> Exhibit B – Appraisal, # <u>3</u> Exhibit C – Pages from 2005 Tax Return, # <u>4</u> Exhibit D – Order and Complaint filed in W.D.N.C.)(Nelson, Carl) (Entered: 11/23/2009)
11/24/2009	<u>238</u>		*** <b>DISCHARGED pursuant to <u>276</u> Order</b> *** ORDER ATTACHED granting <u>236</u> Motion for order to show cause and scheduling hearing for

			Wednesday, December 9, 2009, at 9:00 a.m. The Carolina Mountain Land Conservancy shall file a response to the motion on or before December 4, 2009. Clerk and Receiver: See special mailing instructions. Signed by Judge Richard A. Lazzara on 11/24/2009. (SKH) Modified on 12/28/2009 (LYB). (Entered: 11/24/2009)
11/24/2009	239		NOTICE OF HEARING: Show Cause Hearing set for 12/9/2009 at 9:00 a.m., in Courtroom 15B before Judge Richard A. Lazzara. (SKH) (Entered: 11/24/2009)
11/24/2009			TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>235</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (JMS) (Entered: 11/24/2009)
11/25/2009	<u>240</u>		STATUS REPORT <i>Receiver's Fourth Interim Report (7/1/09 – 8/31/09)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report 7/1/09 – 8/31/09)(Morello, Gianluca) (Entered: 11/25/2009)
12/01/2009	<u>241</u>		Unopposed MOTION for extension of time to file response/reply as to <u>238</u> Order on motion for order to show cause by Carolina Mountain Land Conservancy. (Solomon, Marty) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 12/01/2009)
12/01/2009	<u>242</u>		Unopposed MOTION for miscellaneous relief, specifically waive imposition of filing fees by Burton W. Wiand. (Morello, Gianluca) (Entered: 12/01/2009)
12/02/2009	<u>243</u>		ORDER ATTACHED granting <u>241</u> Motion for Extension of Time to File Response to Order to Show Cause. Response due on or before 12/18/2009. Signed by Judge Richard A. Lazzara on 12/2/2009. (CCB) (Entered: 12/02/2009)
12/02/2009	244		NOTICE cancelling show cause hearing scheduled for 12/9/2009. (CCB) (Entered: 12/02/2009)
12/02/2009	<u>245</u>		ORDER ATTACHED denying <u>242</u> Receiver's Motion to Waive Imposition of Fees. Signed by Judge Richard A. Lazzara on 12/2/2009. (CCB) (Entered: 12/02/2009)
12/02/2009	<u>246</u>		

			NOTICE by Donald Kirk of <i>filing Motion and Proposed Order to Have Counsel Removed from the CM/ECF System Certificate of Service</i> (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Kirk, Donald) (Entered: 12/02/2009)
12/03/2009	247		ENDORSED ORDER: Upon due consideration, it is ordered and adjudged that the Motion to Remove Attorney Donald R. Kirk from the CM/ECF certificate of service list (Dkt. 246) is GRANTED. The clerk is directed to remove Attorney Kirk from the list. Signed by Judge Richard A. Lazzara on 12/3/2009. (CCB) (Entered: 12/03/2009)
12/03/2009			ACKNOWLEDGMENT by USCA of receiving initial appeal package on 12/3/09 re <u>235</u> Notice of appeal. USCA number: 09-16007-H. (EJC) (Entered: 12/03/2009)
12/07/2009	<u>248</u>		SUPPLEMENT to Receiver's Motion for Order to Show Cause as to why Conservation Easement Should Not Be Extinguished (Doc. 236) by Burton W. Wiand. (Nelson, Carl) (Entered: 12/07/2009)
12/07/2009	<u>249</u>		DECLARATION of Carl R. Nelson re <u>248</u> Supplement by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Nelson, Carl) (Entered: 12/07/2009)
12/07/2009	<u>250</u>		MOTION for protective order by non-party by Donald H. Rowe. (Attachments: # <u>1</u> Exhibit 1)(Moe, Anne-Leigh) (Entered: 12/07/2009)
12/08/2009	251		ENDORSED ORDER directing counsel for Receiver and the Securities and Exchange Commission to respond to <u>250</u> Motion for Protective Order by non-party. Responses due by 12/17/2009. Hearing scheduled on Motion on Monday, December 21, 2009, at 8:30 a.m. Signed by Judge Richard A. Lazzara on 12/8/2009. (SKH) (Entered: 12/08/2009)
12/08/2009	252		NOTICE of Hearing on Motion <u>250</u> for Protective Order by non-party: Motion Hearing scheduled Monday, December 21, 2009 at 8:30 a.m., in Courtroom 15B before Judge Richard A. Lazzara. (SKH) (Entered: 12/08/2009)
12/08/2009	<u>253</u>		ORDER ATTACHED directing response on or before 12/18/2009 to docket 248 and giving instructions to clerk. Signed by Judge Richard A. Lazzara on 12/8/2009. (CCB) (Entered: 12/08/2009)
12/11/2009	<u>254</u>		

			MOTION for miscellaneous relief, specifically for Approval of Sale of The Assets of the Venice Jet Center and Agreement with Northern Trust, N.A. by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Asset Purchase Agreement, # <u>2</u> Exhibit A – Assets, # <u>3</u> Exhibit B – Promissory Note, # <u>4</u> Exhibit C – Assn and Assumption of the Lease and Subleases, # <u>5</u> Exhibit D – Bill of Sale, # <u>6</u> Exhibit 2 – Agreement re Claims and Obligations, # <u>7</u> Exhibit 3 – Part 16 Complaint (Part 1 of 5), # <u>8</u> Exhibit 3 – Part 16 Complaint (Part 2 of 5), # <u>9</u> Exhibit 3 – Part 16 Complaint (Part 3 of 5), # <u>10</u> Exhibit 3 – Part 16 Complaint (Part 4 of 5), # <u>11</u> Exhibit 3 – Part 16 Complaint (Part 5 of 5), # <u>12</u> Exhibit 4 – Declaration of Burton W. Wiand, # <u>13</u> Exhibit 5 – Letter to the Honorable Ed Martin, Mayor, # <u>14</u> Exhibit 6 – Proposed Order, # <u>15</u> Exhibit 7 – Memorandum of Lease)(Morello, Gianluca) (Entered: 12/11/2009)
12/14/2009	<u>255</u>		ORDER ATTACHED directing the City of Venice to respond on or before 12/28/2009 to docket 254 and the Receiver to follow instructions as set forth in the order. Signed by Judge Richard A. Lazzara on 12/14/2009. (CCB) (Entered: 12/14/2009)
12/14/2009	<u>256</u>		CERTIFICATE OF SERVICE by Burton W. Wiand re <u>255</u> Order (Morello, Gianluca) (Entered: 12/14/2009)
12/14/2009			USCA appeal fees received \$ 455 receipt number T053148 re <u>235</u> Notice of appeal filed by William F Bishop (RFK) (Entered: 12/14/2009)
12/15/2009			TRANSMITTAL to USCA forwarding USCA appeal fees received \$455 receipt number T053148 re <u>235</u> Notice of appeal USCA number: 09–16007–H. (EJC) (Entered: 12/15/2009)
12/15/2009	<u>257</u>		NOTICE of unavailability of counsel by Securities and Exchange Commission from December 17, 2009 to January 5, 2010. (Masel, Scott) (Entered: 12/15/2009)
12/16/2009	<u>258</u>		CERTIFICATE OF SERVICE by Burton W. Wiand re <u>254</u> MOTION for miscellaneous relief, specifically for Approval of Sale of The Assets of the Venice Jet Center and Agreement with Northern Trust, N.A. ( <i>Amended</i> ) (Morello, Gianluca) (Entered: 12/16/2009)
12/16/2009	<u>259</u>		Unopposed MOTION for attorney fees <i>Fourth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His</i>

			<p><i>Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Receiver's Fourth Interim Report, # <u>3</u> Exhibit C – Receiver – Receivership Invoice, # <u>4</u> Exhibit D – Receiver – Home Front Homes v. Bishop Invoice, # <u>5</u> Exhibit E – Receiver – Carolina Mountain Land Conservancy Invoice, # <u>6</u> Exhibit F – Receiver – Recovery From Investors Invoice, # <u>7</u> Exhibit G – Receiver – Recovery from Moodys Invoice, # <u>8</u> Exhibit H – Receiver – Recovery of Commissions Invoice, # <u>9</u> Exhibit I – Receiver – FW Categorization and Summary of Costs, # <u>10</u> Exhibit J – FW Fee Schedule, # <u>11</u> Exhibit K – FW Receivership Invoice, # <u>12</u> Exhibit L – FW – Home Front Homes v. Bishop Invoice, # <u>13</u> Exhibit M – FW – Carolina Mountain Land Conservancy Invoice, # <u>14</u> Exhibit N – FW – Recovery From Investors Invoice, # <u>15</u> Exhibit O – FW – Recovery from Moodys Invoice, # <u>16</u> Exhibit P – FW – Recovery of Commissions Invoice, # <u>17</u> Exhibit Q – PDR Invoice, # <u>18</u> Exhibit R – Riverside Financial Group Invoice, # <u>19</u> Exhibit S – E-Hounds Invoice, # <u>20</u> Exhibit T – Text of Proposed Order)(Morello, Gianluca) (Entered: 12/16/2009)</p>
12/17/2009	<u>260</u>		<p>MOTION to Approve Settlement <i>re: Trevor Taylor</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 12/17/2009)</p>
12/17/2009	<u>261</u>		<p>ORDER ATTACHED granting <u>260</u> the Receiver's Motion to Approve Settlement with Trevor Taylor. Signed by Judge Richard A. Lazzara on 12/17/2009. (CCB) (Entered: 12/17/2009)</p>
12/17/2009	<u>262</u>		<p>RESPONSE in opposition re <u>250</u> MOTION for protective order <i>by non-party</i> filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Sample Confidentiality Agreement)(Morello, Gianluca) (Entered: 12/17/2009)</p>
12/17/2009	<u>263</u>		<p>RESPONSE to motion re <u>250</u> MOTION for protective order <i>by non-party and to Order Directing Counsel's Response (DE 251)</i> filed by Securities and Exchange Commission. (Masel, Scott) (Entered: 12/17/2009)</p>
12/18/2009	<u>264</u>		<p>RESPONSE TO ORDER TO SHOW CAUSE re <u>238</u> Order on motion for order to show cause filed by Carolina Mountain Land Conservancy. (Solomon, Marty) (Entered: 12/18/2009)</p>
12/18/2009	<u>265</u>		

			DECLARATION of Kieran Roe re <u>264</u> Response to order to show cause by Carolina Mountain Land Conservancy. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit Composite Exhibit 5, Part I, # <u>6</u> Exhibit Composite Exhibit 5, Part II, # <u>7</u> Exhibit Composite Exhibit 5, Part III, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit Composite Exhibit 16, # <u>19</u> Exhibit 17, # <u>20</u> Exhibit 18, # <u>21</u> Exhibit Composite Exhibit 19)(Solomon, Marty) (Entered: 12/18/2009)
12/18/2009	<u>266</u>		ORDER granting <u>259</u> Motion for attorney fees. Signed by Judge Richard A. Lazzara on 12/18/2009. (See order) (MSS) (Entered: 12/18/2009)
12/18/2009	<u>267</u>		ORDER ATTACHED denying <u>250</u> Motion for protective order. See order for details. Hearing scheduled 12/21/09 at 8:30 a.m. is cancelled. Signed by Judge Richard A. Lazzara on 12/18/2009. (SKH) (Entered: 12/18/2009)
12/18/2009	268		NOTICE canceling Motion for Protective Order hearing scheduled for December 21, 2009, at 8:30 a.m. (SKH) (Entered: 12/18/2009)
12/18/2009	<u>269</u>		MOTION to Approve Settlement <i>re: Jewel Hirsch</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement re Jewel Hirsch)(Morello, Gianluca) (Entered: 12/18/2009)
12/21/2009	<u>270</u>		ORDER ATTACHED granting <u>269</u> Motion to Approve Settlement between the Receiver and Jewel Hirsch. Signed by Judge Richard A. Lazzara on 12/21/2009. (SKH) (Entered: 12/21/2009)
12/22/2009	<u>271</u>		Unopposed MOTION for leave to file Reply <i>to Conservancy's Response to Order to Show Cause and Opposition to Extinguishment of Conservation Easement (Doc. 264)</i> by Burton W. Wiand. (Nelson, Carl) (Entered: 12/22/2009)
12/22/2009	272		ENDORSED ORDER denying without prejudice <u>271</u> Unopposed Motion for Leave to Reply. If the Court believes that further briefing is needed from the parties after it has reviewed their submissions, it will so direct. Signed by Judge Richard A. Lazzara on 12/22/2009. (SKH) (Entered: 12/22/2009)
12/22/2009	<u>273</u>		Emergency MOTION for extension of time to file response/reply as to <u>254</u> MOTION for miscellaneous relief, specifically for Approval of Sale of The Assets of the Venice Jet Center and Agreement with Northern Trust, N.A. by City of

			Venice. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2)(Hildreth, Mark) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 12/22/2009)
12/22/2009	<u>274</u>		ORDER ATTACHED granting <u>273</u> Opposed Emergency Motion for Enlargement of Time to respond to Receiver's Asset Sale Motion. Responses due by 1/15/2010. Signed by Judge Richard A. Lazzara on 12/22/2009. (SKH) (Entered: 12/22/2009)
12/22/2009	<u>275</u>		NOTICE OF APPEAL as to <u>267</u> Order on motion for protective order by Donald H. Rowe. (Filing fee not paid) (Savitz, Edward) Modified on 12/23/2009, NOTE: DOCUMENT TERMINATED, counsel notified to refile with correct case number (EJC). (Entered: 12/22/2009)
12/23/2009	<u>276</u>		ORDER ATTACHED discharging <u>238</u> order to show cause. Signed by Judge Richard A. Lazzara on 12/23/2009. (DMB) (Entered: 12/23/2009)
12/23/2009	<u>277</u>		NOTICE OF APPEAL as to <u>267</u> Order on motion for protective order by Donald H. Rowe. (Filing fee not paid) (Savitz, Edward) (Entered: 12/23/2009)
12/23/2009	<u>278</u>		NOTICE of Appearance by Edward O. Savitz on behalf of Donald H. Rowe (Savitz, Edward) (Entered: 12/23/2009)
12/23/2009			TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>277</u> Notice of appeal. (EJC) (Entered: 12/23/2009)
12/28/2009	<u>279</u>		MOTION to stay any obligation to respond to subpoena pending appeal by Donald H. Rowe. (Attachments: # <u>1</u> Exhibit 1)(Savitz, Edward) (Entered: 12/28/2009)
12/28/2009	<u>280</u>		MOTION to Approve Settlement <i>re: All-Weather Fund of Funds, LP</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re All-Weather Fund of Funds, LP)(Morello, Gianluca) (Entered: 12/28/2009)
12/28/2009	<u>281</u>		MOTION to Approve Settlement <i>re: John and Linda Evans</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re John and Linda Evans)(Morello, Gianluca) (Entered: 12/28/2009)
12/28/2009	<u>282</u>		MOTION to Approve Settlement <i>re: Robert Wilkes,</i>

			<i>Jr.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re Robert Wilkes, Jr.)(Morello, Gianluca) (Entered: 12/28/2009)
12/29/2009	<u>283</u>		ORDER ATTACHED granting <u>280</u> Receiver's Motion to Approve Settlement with All-Weather Fund of Funds, LP. Signed by Judge Richard A. Lazzara on 12/29/2009. (CCB) (Entered: 12/29/2009)
12/29/2009	<u>284</u>		ORDER ATTACHED denying without prejudice for failure to comply with Local Rule 3.01(g) <u>279</u> Motion to Stay. Signed by Judge Richard A. Lazzara on 12/29/2009. (CCB) (Entered: 12/29/2009)
12/29/2009	<u>285</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (281). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and John and Linda Evans. Signed by Judge Richard A. Lazzara on 12/29/2009. (SKH) (Entered: 12/29/2009)
12/29/2009	<u>286</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (282). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Robert Wilkes, Jr. Signed by Judge Richard A. Lazzara on 12/29/2009. (SKH) (Entered: 12/29/2009)
12/29/2009	<u>287</u>		MOTION to stay any obligation to respond to subpoena pending appeal by Donald H. Rowe. (Attachments: # <u>1</u> Exhibit 1)(Savitz, Edward) (Entered: 12/29/2009)
12/30/2009	288		ENDORSED ORDER directing Burton W. Wiand to respond to <u>287</u> Motion to Stay any Obligation to Respond to Subpoena Pending Appeal. Response due on or before 1/8/2010. Signed by Judge Richard A. Lazzara on 12/30/2009. (CCB) (Entered: 12/30/2009)
12/30/2009	<u>289</u>		MOTION to Approve Settlement <i>re: Frank Moseley, Jr.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re Frank Moseley, Jr.)(Morello, Gianluca) (Entered: 12/30/2009)
12/31/2009	<u>290</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (289). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Frank

			Moseley, Jr. Signed by Judge Richard A. Lazzara on 12/31/2009. (SKH) (Entered: 12/31/2009)
01/04/2010			ACKNOWLEDGMENT by USCA of receiving initial appeal package on 12/29/09 re <u>277</u> Notice of appeal. USCA number: 09-16437-H. (EJC) (Entered: 01/05/2010)
01/05/2010	<u>291</u>		MOTION for miscellaneous relief, specifically for Approval of Sale of Assets of Home Front Homes, LLC and Agreement with MIBank by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Asset Purchase Agreement, # <u>2</u> Exhibit 2 – MIBank Agreement)(Morello, Gianluca) (Entered: 01/05/2010)
01/05/2010	<u>292</u>		DECLARATION of Burton W. Wiand re <u>291</u> MOTION for miscellaneous relief, specifically for Approval of Sale of Assets of Home Front Homes, LLC and Agreement with MIBank by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/05/2010)
01/05/2010			USCA appeal fees received \$ 455 receipt number 053367 re <u>277</u> Notice of appeal filed by Donald H. Rowe (per appeals– connect fee to this ntcapp) (EV) (Entered: 01/06/2010)
01/06/2010	<u>293</u>		ORDER ATTACHED granting <u>291</u> Receiver's Motion to Approve Sale of Assets of Home Front Homes, LLC and Agreement with MIBank. Signed by Judge Richard A. Lazzara on 1/6/2010. (CCB) (Entered: 01/06/2010)
01/07/2010			TRANSMITTAL to USCA forwarding appeal fees received \$455 receipt number 053367 re <u>277</u> Notice of appeal USCA number: 09-16437-H. (EJC) (Entered: 01/07/2010)
01/08/2010	<u>294</u>		MOTION to Approve Settlement re: <i>The Taylor Family Limited Partnership and Jansen W. &amp; Kay C. Taylor, Family L.P.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 01/08/2010)
01/08/2010	<u>295</u>		ORDER ATTACHED granting <u>294</u> Receiver's Motion to Approve Settlement with The Taylor Family Limited Partnership and the Subsequent Transferees. Signed by Judge Richard A. Lazzara on 1/8/2010. (CCB) (Entered: 01/08/2010)
01/08/2010	<u>296</u>		RESPONSE in opposition re <u>287</u> MOTION to stay any obligation to respond to subpoena pending appeal filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/08/2010)

01/08/2010	<u>297</u>		Unopposed MOTION for miscellaneous relief, specifically leave to pay civil filing fees directly from Receivership Estate by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/08/2010)
01/11/2010	<u>298</u>		ORDER ATTACHED granting <u>297</u> Motion for Leave to Pay Civil Filing Fees Directly from Receivership Estate. Signed by Judge Richard A. Lazzara on 1/11/2010. (CCB) (Entered: 01/11/2010)
01/11/2010	<u>299</u>		MOTION to Approve The Sale of Real Property Located in Newnan, Coweta County, Georgia by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Agreement of Sale and Purchase Between Burton W. Wiand and Candler Food LLC #136)(Morello, Gianluca) Modified on 1/12/2010 (AG). (Entered: 01/11/2010)
01/11/2010	<u>300</u>		DECLARATION of Burton W. Wiand re <u>299</u> MOTION to Approve The Sale of Real Property Located in Newnan, Coweta County, Georgia by Burton W. Wiand. (Morello, Gianluca) Modified on 1/12/2010 (AG). (Entered: 01/11/2010)
01/11/2010	<u>301</u>		ORDER ATTACHED denying <u>287</u> Rowe's Motion to Stay Pending Appeal, or, in the Alternative, Motion for Reconsideration. Signed by Judge Richard A. Lazzara on 1/11/2010. (CCB) (Entered: 01/11/2010)
01/12/2010	<u>302</u>		ORDER ATTACHED granting <u>299</u> Receiver's Motion to Approve Sale of Real Property located in Newnan, Ga. with Candler Food LLC #136. Signed by Judge Richard A. Lazzara on 1/12/2010. (CCB) (Entered: 01/12/2010)
01/12/2010	<u>303</u>		MOTION to Approve Settlement <i>re: Mark H. and Judy King Williams</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 01/12/2010)
01/12/2010	<u>304</u>		MOTION to Approve Settlement <i>re: Trelawny Taylor–Ferraro</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 01/12/2010)
01/12/2010	<u>305</u>		MOTION to Approve Settlement <i>re: Donna G. Pickard, Individually and as Trustee of the Donna Pickard Trust dtd 2/25/03</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 01/12/2010)

01/13/2010	<u>306</u>		ORDER ATTACHED granting <u>303</u> Receiver's Motion to Approve Settlement with Mark H. and Judy King Williams. Signed by Judge Richard A. Lazzara on 1/13/2010. (CCB) (Entered: 01/13/2010)
01/13/2010	<u>307</u>		ORDER ATTACHED granting <u>304</u> Receiver's Motion to Approve Settlement with Trelawny Taylor–Ferraro. Signed by Judge Richard A. Lazzara on 1/13/2010. (CCB) (Entered: 01/13/2010)
01/13/2010	<u>308</u>		ORDER ATTACHED granting <u>305</u> Receiver's Motion to Approve Settlement with Donna G. Pickard, individually and as Trustee of the Donna Pickard Trust dtd 2/25/03. Signed by Judge Richard A. Lazzara on 1/13/2010. (CCB) (Entered: 01/13/2010)
01/13/2010	<u>309</u>		MOTION to Approve Settlement <i>re: James Teng</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement <i>re James Teng</i> )(Morello, Gianluca) (Entered: 01/13/2010)
01/13/2010	<u>310</u>		ORDER ATTACHED granting <u>309</u> Receiver's Motion to Approve Settlement with James Teng. Signed by Judge Richard A. Lazzara on 1/13/2010. (CCB) (Entered: 01/13/2010)
01/15/2010	<u>311</u>		RESPONSE to motion re <u>254</u> MOTION for miscellaneous relief, specifically for Approval of Sale of The Assets of the Venice Jet Center and Agreement with Northern Trust, N.A. filed by City of Venice. (Hildreth, Mark) (Entered: 01/15/2010)
01/15/2010	<u>312</u>		ORDER ATTACHED directing Burton W. Wiand to File a Reply Memorandum to the Response to <u>254</u> the Receiver's Motion for Approval of Sale of The Assets of the Venice Jet Center on or before 1/21/2010. Signed by Judge Richard A. Lazzara on 1/15/2010. (CCB) (Entered: 01/15/2010)
01/15/2010			ACKNOWLEDGMENT by USCA of receiving appeal filing fee on 1/12/2010 re <u>277</u> Notice of appeal. USCA number: 09–16437–H. (JNB) (Entered: 01/18/2010)
01/18/2010	<u>313</u>		MOTION to Approve Settlement <i>re: the Zinn Family Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 01/18/2010)
01/18/2010	<u>314</u>		MOTION to Approve Settlement <i>re: Elizabeth Ward</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 01/18/2010)

			01/18/2010)
01/18/2010	<u>315</u>		Unopposed MOTION for miscellaneous relief, specifically Reappoint Receiver by Burton W. Wiand. (Attachments: # <u>1</u> Text of Proposed Order)(Morello, Gianluca) (Entered: 01/18/2010)
01/19/2010	<u>316</u>		ORDER granting <u>315</u> Motion Reappointing Receiver and that Burton W. Wiand is reappointed the Receiver over the Defendants. Signed by Judge Richard A. Lazzara on 1/19/2010. (See order) (MSS) (Entered: 01/19/2010)
01/19/2010	<u>317</u>		AMENDED ORDER ATTACHED directing Receiver to reply to additional issues on or before 1/21/2010. Signed by Judge Richard A. Lazzara on 1/19/2010. (CCB) (Entered: 01/19/2010)
01/19/2010	<u>318</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (313). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and The Zinn Family Trust. Signed by Judge Richard A. Lazzara on 1/19/2010. (SKH) (Entered: 01/19/2010)
01/19/2010	<u>319</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (314). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Elizabeth Ward. Signed by Judge Richard A. Lazzara on 1/19/2010. (SKH) (Entered: 01/19/2010)
01/20/2010	<u>320</u>		REPLY to response to motion re <u>254</u> MOTION for miscellaneous relief, specifically for Approval of Sale of The Assets of the Venice Jet Center and Agreement with Northern Trust, N.A. filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/20/2010)
01/20/2010	<u>321</u>		ORDER granting and approving <u>254</u> Motion for sale of certain assets of Venice Jet Center as outlined in the attached Order. Signed by Judge Richard A. Lazzara on 1/20/2010. (SKH) (Entered: 01/20/2010)
01/21/2010	<u>322</u>		Emergency MOTION to modify Injunction by Louis Paolino. (Attachments: # <u>1</u> Exhibit 1 – Lis Pendens, # <u>2</u> Exhibit 2 – Warranty Deed, # <u>3</u> Exhibit 3 – Consent to Sale)(Bentley, Morgan) (Entered: 01/21/2010)
01/21/2010	<u>323</u>		ORDER ATTACHED denying without prejudice for failure to comply with Local Rule 3.01(g) <u>322</u> Motion to Modify. Parties are directed to confer personally in accord with the attached order. Signed by Judge Richard A. Lazzara on 1/21/2010. (CCB)

			(Entered: 01/21/2010)
01/27/2010	<u>324</u>		MOTION for miscellaneous relief, specifically Possession of and Title to Real Property Located at 464 Golden Gate Point, Unit 703, Sarasota, Florida by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/27/2010)
01/27/2010	<u>325</u>		DECLARATION of Burton W. Wiand re <u>324</u> MOTION for miscellaneous relief, specifically Possession of and Title to Real Property Located at 464 Golden Gate Point, Unit 703, Sarasota, Florida by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Morello, Gianluca) (Entered: 01/27/2010)
01/27/2010	<u>326</u>		SUPPLEMENT re <u>324</u> MOTION for miscellaneous relief, specifically Possession of and Title to Real Property Located at 464 Golden Gate Point, Unit 703, Sarasota, Florida -- <i>Supplement to Local Rule 3.01(g) Certification</i> by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/27/2010)
01/28/2010	<u>327</u>		ORDER ATTACHED granting <u>324</u> Receiver's Motion for Possession of and Title to Real Property Located at 464 Golden Gate Point, Unit 703, Sarasota, Florida. Signed by Judge Richard A. Lazzara on 1/28/2010. (CCB) (Entered: 01/28/2010)
01/28/2010	<u>328</u>		Unopposed MOTION to modify Injunction by Louis Paolino. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Bentley, Morgan) (Entered: 01/28/2010)
01/29/2010	<u>329</u>		RESPONSE to motion re <u>328</u> Unopposed MOTION to modify Injunction filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/29/2010)
01/29/2010	<u>330</u>		Amended MOTION to modify Injunction by Louis Paolino. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Bentley, Morgan) (Entered: 01/29/2010)
01/29/2010	331		ENDORSED ORDER finding as moot <u>328</u> Motion for Modification of Injunction. Amended motion filed at <u>330</u> . Signed by Judge Richard A. Lazzara on 1/29/2010. (SKH) (Entered: 01/29/2010)
01/29/2010	<u>332</u>		ORDER ATTACHED granting <u>330</u> Motion to modify injunction. Signed by Judge Richard A. Lazzara on 1/29/2010. (SKH) (Entered: 01/29/2010)
02/01/2010	<u>333</u>		MOTION to Approve Settlement re: <i>Gerald</i>

			<i>Gordon</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 02/01/2010)
02/01/2010	<u>334</u>		ORDER ATTACHED granting <u>333</u> Receiver's Motion to Approve Settlement with Gerald Gordon. Signed by Judge Richard A. Lazzara on 2/1/2010. (CCB) (Entered: 02/01/2010)
02/08/2010	<u>335</u>		MOTION to Approve Settlement <i>re: Edwin and Elizabeth Roberts</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 02/08/2010)
02/09/2010	<u>336</u>		ORDER ATTACHED granting <u>335</u> Receiver's Motion to Approve Settlement with Edwin and Elizabeth Roberts. Signed by Judge Richard A. Lazzara on 2/9/2010. (CCB) (Entered: 02/09/2010)
02/12/2010	<u>337</u>		MOTION to Approve Settlement <i>re: Leslie R. Collier, as Trustee of the Lester Haynes Blackburn Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 02/12/2010)
02/12/2010	<u>338</u>		MOTION to Approve Settlement <i>re: Sandcastle Partners, L.P.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 02/12/2010)
02/12/2010	<u>339</u>		ORDER ATTACHED granting <u>337</u> Motion to Approve Settlement between the Receiver and Leslie R. Collier, as Trustee of the Lester Haynes Blackburn Trust. Signed by Judge Richard A. Lazzara on 2/12/2010. (SKH) (Entered: 02/12/2010)
02/12/2010	<u>340</u>		ORDER granting <u>338</u> Motion to Approve Settlement between the Receiver and Sandcastle Partners, L.P. Signed by Judge Richard A. Lazzara on 2/12/2010. (SKH) (Entered: 02/12/2010)
02/16/2010	<u>341</u>		ORDER of USCA ENTRY OF DISMISSAL pursuant to Appellant Motion to Dismiss as to <u>277</u> Notice of appeal filed by Donald H. Rowe. EOD: 02/12/10; USCA number: 09–16437–HH. Issued as mandate. (JMS) (Entered: 02/16/2010)
02/17/2010	<u>342</u>		MOTION to Approve Settlement <i>re: Frances P. Beyer, Trustee for the Edward F. Beyer Trust and Frances P. Beyer, Trustee for the Frances P. Beyer Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u>

			Exhibit A – Executed Settlement Agreement re Frances P. Beyer)(Morello, Gianluca) (Entered: 02/17/2010)
02/17/2010	<u>343</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (342). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and the Beyer Trusts. Signed by Judge Richard A. Lazzara on 2/17/2010. (SKH) (Entered: 02/17/2010)
02/19/2010	<u>344</u>		MOTION to Approve Settlement <i>re: Argenta Fund, Ltd.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 02/19/2010)
02/19/2010	<u>345</u>		MOTION to Approve Settlement <i>re: James G. Kapralos, as Trustee of the James G. Kapralos Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 02/19/2010)
02/19/2010	<u>346</u>		MOTION to Approve Settlement <i>re: Raymond Hill</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 02/19/2010)
02/22/2010	<u>347</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (344). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Argenta Fund, Ltd. Signed by Judge Richard A. Lazzara on 2/22/2010. (SKH) (Entered: 02/22/2010)
02/22/2010	<u>348</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (345). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and James G. Kapralos, as Trustee of the James G. Kapralos Trust. Signed by Judge Richard A. Lazzara on 2/22/2010. (SKH) (Entered: 02/22/2010)
02/22/2010	<u>349</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (346). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Raymond Hill. Signed by Judge Richard A. Lazzara on 2/22/2010. (SKH) (Entered: 02/22/2010)
02/25/2010	<u>350</u>		MOTION for miscellaneous relief, specifically to Approve the Sale of the Woodland Heights Subdivision Located in Thomasville, Georgia and Agreement with Thomasville National Bank by Burton W. Wiand. (Attachments: # <u>1</u> Text of

			Proposed Order)(Morello, Gianluca) (Entered: 02/25/2010)
02/25/2010	<u>351</u>		DECLARATION of Burton W. Wiand, as Receiver re <u>350</u> MOTION for miscellaneous relief, specifically to Approve the Sale of the Woodland Heights Subdivision Located in Thomasville, Georgia and Agreement with Thomasville National Bank by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Purchase and Sale and Agreement, # <u>2</u> Exhibit 2 – Agreement between TNB and B. Wiand, # <u>3</u> Exhibit 3 – Legal Description of Woodland Heights Subdivision, # <u>4</u> Exhibit 4 – Receiver's Quitclaim Deed)(Morello, Gianluca) (Entered: 02/25/2010)
02/26/2010	<u>352</u>		ORDER granting <u>350</u> Motion to approve the sale of Receivership property know as the Woodland Heights Subdivision. Signed by Judge Richard A. Lazzara on 2/26/2010. (See order) (MSS) (Entered: 02/26/2010)
03/01/2010	<u>353</u>		MOTION for miscellaneous relief, specifically to Convey Property Located at 512 Paul Morris Drive, Englewood, Florida by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order)(Morello, Gianluca) (Entered: 03/01/2010)
03/01/2010	<u>354</u>		DECLARATION of Burton W. Wiand re <u>353</u> MOTION for miscellaneous relief, specifically to Convey Property Located at 512 Paul Morris Drive, Englewood, Florida by Burton W. Wiand. (Morello, Gianluca) (Entered: 03/01/2010)
03/02/2010	<u>355</u>		ORDER granting <u>353</u> Unopposed Motion to convey property located at 512 Paul Morris Drive, Englewood, Florida. Signed by Judge Richard A. Lazzara on 3/2/2010. (See order) (MSS) (Entered: 03/02/2010)
03/02/2010	<u>356</u>		Unopposed MOTION for miscellaneous relief, specifically to Approve the Sale of 1997 Jeep Wrangler by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order, # <u>2</u> Exhibit B – Picture of Jeep)(Morello, Gianluca) (Entered: 03/02/2010)
03/02/2010	<u>357</u>		ORDER granting <u>356</u> Unopposed Verified Motion to approve sale of 1997 Jeep Wrangler. Signed by Judge Richard A. Lazzara on 3/2/2010. (MSS) (Entered: 03/02/2010)
03/04/2010	<u>358</u>		MOTION to Approve Settlement re: <i>Gary Keller</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 03/04/2010)

03/05/2010	<u>359</u>		ORDER ATTACHED granting <u>358</u> Receiver's Motion to Approve Settlement with Gary Keller (case no. 8:10-cv-88-T-17MAP). Signed by Judge Richard A. Lazzara on 3/5/2010. (CCB) (Entered: 03/05/2010)
03/10/2010	<u>360</u>		MOTION to Approve Settlement <i>re: Sanford H. Webster and Mary S. Webster, as Trustees of the Webster Revocable Trust dated 3-8-82</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 03/10/2010)
03/10/2010	<u>361</u>		ORDER attached granting <u>360</u> Receiver's Motion to Approve Settlement with Sanford H. Webster and Mary S. Webster (case no. 8:10-cv-72-T-17MAP). Signed by Judge Richard A. Lazzara on 3/10/2010. (CCB) (Entered: 03/10/2010)
03/10/2010	<u>362</u>		STATUS REPORT <i>Receiver's Fifth Interim Report (11/1/09-1/31/10)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report 11/1/09-1/31/10)(Morello, Gianluca) (Entered: 03/10/2010)
03/15/2010	<u>363</u>		MOTION to Approve Settlement <i>re: Kenneth Ackerman</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re Kenneth Ackerman)(Lamont, Michael) (Entered: 03/15/2010)
03/15/2010	<u>364</u>		ORDER ATTACHED granting <u>363</u> Motion to Approve Settlement between the Receiver and Kenneth Ackerman. Signed by Judge Richard A. Lazzara on 3/15/2010. (SKH) (Entered: 03/15/2010)
03/17/2010	<u>365</u>		MOTION to Approve Settlement <i>re: Paula J. Woods and Janine L. Stiffler, individually and as Co-Trustees of the Paul W. Albro Revocable Family Trust U/A Dtd 05-28-83</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 03/17/2010)
03/17/2010	<u>366</u>		ORDER ATTACHED granting <u>365</u> Motion to Approve Settlement between the Receiver and Paula J. Woods and Janine L. Stiffler, individually, and as Co-Trustees of the Paul W. Albro Revocable Family Trust U/A Dtd 05-28-83. Signed by Judge Richard A. Lazzara on 3/17/2010. (SKH) (Entered: 03/17/2010)
03/18/2010	<u>367</u>		MOTION to Approve Settlement <i>re: Brian Gordon and Zachary Gordon</i> by Burton W. Wiand.

			(Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 03/18/2010)
03/18/2010	<u>369</u>		ORDER of USCA ENTRY OF DISMISSAL as to <u>235</u> Notice of appeal filed by William F Bishop. EOD: 03/16/10; Issued as mandate. USCA number: 09–16007–HH. (JMS) (Entered: 03/19/2010)
03/19/2010	<u>368</u>		ORDER ATTACHED granting <u>367</u> Motion to Approve Settlement between the Receiver and Brian Gordon and Zachary Gordon. Signed by Judge Richard A. Lazzara on 3/19/2010. (SKH) (Entered: 03/19/2010)
03/23/2010	<u>370</u>		Unopposed MOTION for miscellaneous relief, specifically to Approve the Sale of 2006 Subaru Outback Legacy by Burton W. Wiand. (Attachments: # <u>1</u> Text of Proposed Order)(Morello, Gianluca) (Entered: 03/23/2010)
03/24/2010	<u>371</u>		ORDER granting <u>370</u> Motion to approve sale of 2006 Subaru Outback Legacy. Signed by Judge Richard A. Lazzara on 3/24/2010. (MSS) (Entered: 03/24/2010)
03/25/2010	<u>372</u>		MOTION to Approve Settlement <i>re: David Quade</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re Quade, # <u>2</u> Exhibit B – Executed Settlement Agreement re Quade and Schuster)(Lamont, Michael) (Entered: 03/25/2010)
03/25/2010	<u>373</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (Dkt. 372). The Court approves the written settlement agreements attached to the motion entered into between the Receiver and David Quade and Susan Schuster. Signed by Judge Richard A. Lazzara on 3/25/2010. (SKH) (Entered: 03/25/2010)
03/26/2010	<u>374</u>		MOTION to Approve Settlement <i>re: Logan Trucking, Inc.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re Logan Trucking, Inc.)(Lamont, Michael) (Entered: 03/26/2010)
03/26/2010	<u>375</u>		ORDER ATTACHED granting <u>374</u> Receiver's Motion to Approve Settlement with Logan Trucking, Inc. Signed by Judge Richard A. Lazzara on 3/26/2010. (CCB) (Entered: 03/26/2010)
03/26/2010	<u>376</u>		MOTION to Approve Settlement <i>re: John Klein, Jr.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael)

			(Entered: 03/26/2010)
03/26/2010	<u>377</u>		ORDER ATTACHED granting <u>376</u> Receiver's Motion to Approve Settlement with John Klein, Jr. Signed by Judge Richard A. Lazzara on 3/26/2010. (CCB) (Entered: 03/26/2010)
03/31/2010	<u>378</u>		MOTION to Approve Settlement <i>re: Paul C. Smith and Leonore Smith, as Co-Trustees of the Smith Revocable Family Trust dtd 08/03/1989</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 03/31/2010)
04/01/2010	<u>379</u>		ORDER ATTACHED granting <u>378</u> Receiver's Motion to Approve Settlement with Paul C. Smith and Leonore Smith, as Co-Trustees of the Smith Revocable Family Trust did 8/3/1989. Signed by Judge Richard A. Lazzara on 4/1/2010. (CCB) (Entered: 04/01/2010)
04/02/2010	<u>380</u>		MOTION to Approve Settlement <i>re: William J. Beard and R. Jean Beard, as Co-Trustees of the William J. and R. Jean Beard Joint Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 04/02/2010)
04/02/2010	<u>381</u>		ORDER ATTACHED granting <u>380</u> Motion to Approve Settlement between the Receiver and William J. Beard and R. Jean Beard, as Co-Trustees of the William J. and R. Jean Beard Joint Trust. Signed by Judge Richard A. Lazzara on 4/2/2010. (SKH) (Entered: 04/02/2010)
04/05/2010	<u>382</u>		MOTION to Approve Settlement <i>re: Robert E. Graetz</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 04/05/2010)
04/05/2010	<u>383</u>		ORDER ATTACHED granting <u>382</u> Motion to Approve Settlement between the Receiver and Robert Graetz. Signed by Judge Richard A. Lazzara on 4/5/2010. (SKH) (Entered: 04/05/2010)
04/06/2010	<u>384</u>		MOTION to Approve Settlement <i>re: Barbara Edgecombe and Michael Scott Edgecombe</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 04/06/2010)
04/07/2010	<u>385</u>		ORDER ATTACHED granting <u>384</u> Receiver's Motion to Approve Settlement with Barbara Edgecombe and Michael Scott Edgecombe. Signed

			by Judge Richard A. Lazzara on 4/7/2010. (CCB) (Entered: 04/07/2010)
04/07/2010	<u>386</u>		MOTION for Carl R. Nelson and Ashley Bruce Trehan to withdraw as attorney by Burton W. Wiand. (Nelson, Carl) (Entered: 04/07/2010)
04/07/2010	387		ENDORSED ORDER granting <u>386</u> Motion to Withdraw as Attorney for Receiver. The clerk is directed to term withdrawing counsel. Signed by Judge Richard A. Lazzara on 4/7/2010. (CCB) Modified on 4/7/2010 (SKH). (Entered: 04/07/2010)
04/13/2010	<u>388</u>		MOTION to Approve Settlement <i>re: Michael Elkin</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re Michael Elkin)(Lamont, Michael) (Entered: 04/13/2010)
04/13/2010	<u>389</u>		ORDER ATTACHED granting <u>388</u> Receiver's Motion to Approve Settlement with Michael Elkin. Signed by Judge Richard A. Lazzara on 4/13/2010. (CCB) (Entered: 04/13/2010)
04/20/2010	<u>390</u>		Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Procedure to Administer Claims and Proof of Claim Form, (2) Establish Deadline for Filing Proofs of Claim, and (3) Permit Notice By Mail and Publication and Incorporated Memorandum of Law by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proof of Claim Form, # <u>2</u> Exhibit B – Notice of Deadline Requiring Filing of Proofs of Claim, # <u>3</u> Exhibit C – Proposed Order)(Morello, Gianluca) (Entered: 04/20/2010)
04/21/2010	<u>391</u>		ORDER granting <u>390</u> Motion to approve procedure to administer claims and proof of claim form, (2) Establish deadline for filing proofs of claim, and (3) Permit notice by mail and publication. Signed by Judge Richard A. Lazzara on 4/21/2010. (see order) (MSS) (Entered: 04/21/2010)
04/21/2010	<u>392</u>		UNOPPOSED FIFTH INTERIM MOTION for order awarding attorney fees, costs and reimbursement of costs to receiver and his professional by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 Standard Fund accounting reports, # <u>2</u> Exhibit 2 Fourth Interim Report Part 1, # <u>3</u> Exhibit 2–2 Fourth Interim Report Part 2, # <u>4</u> Exhibit 3 Fifth Interim Report Part 1, # <u>5</u> Exhibit 3 Fifth Interim Report Part 2, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16, # <u>19</u> Exhibit 17 part 1, #

			<u>20</u> Exhibit 17 part 2, # <u>21</u> Exhibit 18, # <u>22</u> Exhibit 19, # <u>23</u> Exhibit 20, # <u>24</u> Exhibit 21, # <u>25</u> Exhibit 22, # <u>26</u> Exhibit 23, # <u>27</u> Exhibit 24, # <u>28</u> Exhibit 25, # <u>29</u> Exhibit 26, # <u>30</u> Exhibit 27, # <u>31</u> Exhibit 28, # <u>32</u> Exhibit 29, # <u>33</u> Exhibit 30 part 1, # <u>34</u> Exhibit 30 part 2, # <u>35</u> Exhibit 30 part 3, # <u>36</u> Exhibit 31, # <u>37</u> Exhibit 32, # <u>38</u> Exhibit 33 proposed order)(JLH) (Entered: 04/21/2010)
04/23/2010	<u>393</u>		MOTION to Approve Settlement <i>re: Don Zinman</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re Don Zinman)(Lamont, Michael) (Entered: 04/23/2010)
04/23/2010	<u>394</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (393). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Don Zinman. Signed by Judge Richard A. Lazzara on 4/23/2010. (SKH) (Entered: 04/23/2010)
04/23/2010	<u>395</u>		ORDER granting <u>392</u> Motion for attorney fees. Signed by Judge Richard A. Lazzara on 4/23/2010. (see order) (MSS) (Entered: 04/23/2010)
05/03/2010	<u>396</u>		MOTION to Approve Settlement <i>re: Everett O. Jones as trustee of the Lucy Lee Jones Trust dtd 2/23/90</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/03/2010)
05/03/2010	<u>397</u>		ORDER ATTACHED granting <u>396</u> Receiver's Motion to Approve Settlement with Everett O. Jones as Trustee of the Lucy Lee Jones Trust dtd 2/23/90. Signed by Judge Richard A. Lazzara on 5/3/2010. (CCB) (Entered: 05/03/2010)
05/12/2010	<u>398</u>		MOTION to Approve Settlement <i>re: Alliance Equities, LLC</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement re Alliance Equities, LLC)(Lamont, Michael) (Entered: 05/12/2010)
05/12/2010	<u>399</u>		ORDER ATTACHED granting <u>398</u> the Receiver's Motion to Approve Settlement with Alliance Equities, LLC. Signed by Judge Richard A. Lazzara on 5/12/2010. (CCB) (Entered: 05/12/2010)
05/17/2010			Mail returned as Undeliverable re: <u>397</u> Order on Motion to Approve Settlement. Mail resent to Arthur Nadel. (JLH) (Entered: 05/17/2010)
05/20/2010	<u>400</u>		MOTION to Approve Settlement <i>re: Gail Ensinger, as Trustee of the Gail Ensinger Trust</i> by Burton W.

			Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/20/2010)
05/20/2010	<u>401</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement <u>400</u> . The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Gail Ensinger, as Trustee of the Gail Ensinger Trust. Signed by Judge Richard A. Lazzara on 5/20/2010. (SKH) (Entered: 05/20/2010)
05/25/2010	<u>402</u>		MOTION to Approve Settlement <i>re: Jose Rodriguez</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/25/2010)
05/25/2010	<u>403</u>		MOTION to Approve Settlement <i>re: William Hirons, as Trustee of the William Hirons Revocable Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/25/2010)
05/26/2010	<u>404</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (402). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Jose Rodriguez. Signed by Judge Richard A. Lazzara on 5/26/2010. (SKH) (Entered: 05/26/2010)
05/26/2010	<u>405</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (403). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and William Hirons, as Trustee of the William Hirons Revocable Trust. Signed by Judge Richard A. Lazzara on 5/26/2010.(SKH) (Entered: 05/26/2010)
05/28/2010	<u>406</u>		MOTION to Approve Settlement <i>re: Nanette Mock</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/28/2010)
05/28/2010	<u>407</u>		ORDER ATTACHED granting <u>406</u> Receiver's Motion to Approve Settlement with Nanette Mock (Case No. 8:10-cv-128-T-17MAP). Signed by Judge Richard A. Lazzara on 5/28/2010. (CCB) (Entered: 05/28/2010)
06/02/2010	<u>408</u>		MOTION to Approve Settlement <i>re: Wilbur B. Sypherd, individually and as Co-Trustee of the Sypherd Revocable Family Trust Dated 12/15/89, and Sharon Sypherd as Co-Trustee of the Sypherd Revocable Family Trust Dated 12/15/89</i> by Burton

			W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/02/2010)
06/03/2010	<u>409</u>		ORDER ATTACHED granting <u>408</u> Receiver's Motion to Approve Settlement with Wilbur B. Sypherd and Sharon Sypherd, both individually and as Co-Trustees of the Sypherd Revocable Family Trust dated 12/15/89, and associated with case no. 8:10-cv-174-T-17MAP. Signed by Judge Richard A. Lazzara on 6/3/2010. (CCB) (Entered: 06/03/2010)
06/11/2010	<u>410</u>		MOTION to Approve Settlement <i>re: Jason Investment Co., LLC</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A– Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/11/2010)
06/11/2010	<u>411</u>		MOTION to Approve Settlement <i>re: Bruce Wilson</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/11/2010)
06/11/2010	<u>412</u>		ORDER ATTACHED granting <u>410</u> Receiver's Motion to Approve Settlement with Jason Investment Co., LLC, and associated with 8:10-cv-87-T-17MAP. Signed by Judge Richard A. Lazzara on 6/11/2010. (CCB) Modified on 6/11/2010 (CB). (Entered: 06/11/2010)
06/11/2010	<u>413</u>		ORDER ATTACHED granting <u>411</u> Receiver's Motion to Approve Settlement with Bruce Wilson and associated with 8:10-cv-115-T17MAP. Signed by Judge Richard A. Lazzara on 6/11/2010. (CCB) (Entered: 06/11/2010)
06/14/2010	<u>414</u>		MOTION to Approve Settlement <i>re: June Cunningham, individually and as Trustee of the Dale Cunningham Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/14/2010)
06/14/2010	<u>415</u>		ORDER ATTACHED granting <u>414</u> Receiver's Motion to Approve Settlement with June Cunningham, individually and as Trustee of the Dale Cunningham Trust. Signed by Judge Richard A. Lazzara on 6/14/2010. (CCB) (Entered: 06/14/2010)
06/16/2010	<u>416</u>		MOTION to quash Receiver's Subpoena to SunTrust Bank by Donald H. Rowe. (Attachments: # <u>1</u> Exhibit 1)(Moe, Anne-Leigh) (Entered: 06/16/2010)

06/17/2010	417		ENDORSED ORDER: The Receiver is directed to file a response to the Motion to Quash (Dkt. 416) on or before June 23, 2010. Signed by Judge Richard A. Lazzara on 6/17/2010. (CCB) (Entered: 06/17/2010)
06/17/2010	418		NOTICE of Hearing on Motion to Quash (Dkt. 416) set for Friday, June 25, 2010 at 10:30 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 06/17/2010)
06/21/2010	<u>419</u>		NOTICE by Donald H. Rowe of <i>Filing Motion for Protective Order in Related Case</i> (Attachments: # <u>1</u> Motion for Entry of Protective Order, # <u>2</u> Exhibit "A" to Motion for Entry of Protective Order, # <u>3</u> Exhibit "B" to Motion for Entry of Protective Order)(Cox, Karen) (Entered: 06/21/2010)
06/23/2010	<u>420</u>		RESPONSE in opposition re <u>416</u> MOTION to quash Receiver's Subpoena to SunTrust Bank filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 06/23/2010)
06/23/2010	<u>421</u>		DECLARATION of Burton W. Wiand, as Receiver re <u>420</u> Response in opposition to motion by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Morello, Gianluca) (Entered: 06/23/2010)
06/23/2010	<u>422</u>		NOTICE by Burton W. Wiand of <i>Filing Magistrate Judge Mark A. Pizzo's Order denying Defendants' Motion for entry of a Protective Order in Related Case</i> (Attachments: # <u>1</u> Order denying Defendants' Motion for entry of a Protective Order)(Morello, Gianluca) (Entered: 06/23/2010)
06/23/2010	<u>423</u>		RESPONSE in opposition re <u>416</u> MOTION to quash Receiver's Subpoena to SunTrust Bank <i>and Joining in Receiver's Response</i> filed by Securities and Exchange Commission. (Masel, Scott) (Entered: 06/23/2010)
06/24/2010	<u>424</u>		ORDER ATTACHED denying <u>416</u> Motion to Quash. Signed by Judge Richard A. Lazzara on 6/24/2010. (CCB) (Entered: 06/24/2010)
06/24/2010	425		NOTICE cancelling discovery hearing scheduled for Friday, June 25, 2010. (CCB) (Entered: 06/24/2010)
06/25/2010	<u>426</u>		MOTION to Approve Settlement <i>re: David Cava, as Trustee of the Edmund Cava Trust, et al.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/25/2010)

06/25/2010	<u>427</u>		MOTION to Approve Settlement <i>re: Long Island Market Neutral Fund and ABN AMRO Bank N.V. n/k/a The Royal Bank of Scotland N.V.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/25/2010)
06/26/2010	<u>428</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (426). The Court approves the written settlement agreement attached to the motion. Signed by Judge Richard A. Lazzara on 6/26/2010. (SKH) (Entered: 06/26/2010)
06/26/2010	<u>429</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (427). The Court approves the written settlement agreement attached to the motion. Signed by Judge Richard A. Lazzara on 6/26/2010. (SKH) (Entered: 06/26/2010)
07/06/2010	<u>430</u>		MOTION for miscellaneous relief, specifically for Leave to Depose Incarcerated Defendant by Securities and Exchange Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Masel, Scott) (Entered: 07/06/2010)
07/07/2010	<u>431</u>		ORDER granting <u>430</u> Motion to depose Arthur Nadel. Signed by Judge Richard A. Lazzara on 7/7/2010. (MSS) (Entered: 07/07/2010)
07/09/2010	<u>432</u>		Unopposed MOTION for miscellaneous relief, specifically Approve the Sale of 1971 Cherokee Piper PA-28-140 Aircraft <i>Receiver's Unopposed Verified Motion to Approve the Sale of 1971 Cherokee Piper PA-28-140 Aircraft</i> by Burton W. Wiand. (Morello, Gianluca) (Entered: 07/09/2010)
07/12/2010	<u>433</u>		ORDER granting <u>432</u> sale of 1971 Cherokee Piper Aircraft. Signed by Judge Richard A. Lazzara on 7/12/2010. (KIT) (Entered: 07/12/2010)
07/15/2010	<u>434</u>		Emergency MOTION for miscellaneous relief, specifically (1) Possession of Funds and (2) Order to Show Cause As To Why Marguerite Nadel, Michael D. Zucker, and E. John Lopez Should Not Be Held In Contempt by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Morello, Gianluca) (Entered: 07/15/2010)
07/15/2010	<u>435</u>		ORDER scheduling hearing on Receiver's Verified Motion for Possession of Funds and Motion for Order to Show Cause. Hearing scheduled 7/19/2010 at 8:30 a.m., 801 N. Florida Ave., Chambers 15B, Tampa, Florida. Receiver: see special mailing instructions. Signed by Judge Richard A. Lazzara on

			7/15/2010. (SKH) (Entered: 07/15/2010)
07/15/2010	436		NOTICE OF HEARING: Show Cause Hearing scheduled Monday, July 19, 2010 at 8:30 a.m., in Courtroom 15B before Judge Richard A. Lazzara. (SKH) (Entered: 07/15/2010)
07/16/2010	<u>437</u>		SUPPLEMENT re <u>434</u> Emergency MOTION for miscellaneous relief, specifically (1) Possession of Funds and (2) Order to Show Cause As To Why Marguerite Nadel, Michael D. Zucker, and E. John Lopez Should Not Be Held In ContemptEmergency MOTION for miscellaneous relief, specifically (1) Possession of Funds and (2) Order to Show Cause As To Why Marguerite Nadel, Michael D. Zucker, and E. John Lopez Should Not Be Held In Contempt by Burton W. Wiand. (Lamont, Michael) (Entered: 07/16/2010)
07/19/2010	<u>438</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Show Cause Hearing held on 7/19/2010. Court Reporter: Claudia Spangler-Fry (MSS) (Entered: 07/19/2010)
07/19/2010	<u>439</u>		ORDER ATTACHED denying [434 &437] Motion for Possession of Funds and for Order to Show Cause. Signed by Judge Richard A. Lazzara on 7/19/2010. (CCB) (Entered: 07/19/2010)
07/20/2010	<u>440</u>		ORDER that Arthur Nadel and Marguerite Nadel shall cooperate with the Receiver. Signed by Judge Richard A. Lazzara on 7/20/2010. (See attached order for details)(MSS) (Entered: 07/20/2010)
07/20/2010	<u>441</u>		MOTION to Approve Settlement re: <i>James R. Mahoney</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement)(Lamont, Michael) (Entered: 07/20/2010)
07/20/2010	<u>442</u>		ORDER ATTACHED granting <u>441</u> Receiver's Motion to Approve Settlement with James R. Mahoney associated with case no. 8:10-cv-127-T17MAP. Signed by Judge Richard A. Lazzara on 7/20/2010. (CCB) (Entered: 07/20/2010)
07/20/2010	<u>443</u>		MOTION to Approve Settlement re: <i>Caryn Comer and Christopher Comer</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A–Settlement Agreement)(Lamont, Michael) (Entered: 07/20/2010)
07/21/2010	<u>444</u>		ORDER ATTACHED granting <u>443</u> Receiver's Motion to Approve Settlement with Caryn Comer associated with Case No. 8:10-cv-207-T-17MAP

			and with Christopher Comer associated with Case No. 8:10-cv-95-T-17MAP. Signed by Judge Richard A. Lazzara on 7/21/2010. (CCB) (Entered: 07/21/2010)
07/29/2010	<u>445</u>		Unopposed MOTION for miscellaneous relief, specifically Approve Exchange of Warrants for Common Stock of Bonds.com by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Lamont, Michael) (Entered: 07/29/2010)
07/29/2010	<u>446</u>		MOTION to Approve Settlement <i>re: Stephen Kraus</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement)(Lamont, Michael) (Entered: 07/29/2010)
07/29/2010	<u>447</u>		ORDER ATTACHED granting <u>446</u> Receiver's Motion to Approve Settlement with Stephen Kraus and associated with 8:10-cv-137-T-17MAP. Signed by Judge Richard A. Lazzara on 7/29/2010. (CCB) (Entered: 07/29/2010)
07/29/2010	<u>448</u>		ORDER ATTACHED granting <u>445</u> Receiver's Motion to Approve Exchange of Warrants for Common Shares of Bonds.com. Signed by Judge Richard A. Lazzara on 7/29/2010. (CCB) (Entered: 07/29/2010)
08/03/2010	<u>449</u>		Unopposed MOTION for miscellaneous relief, specifically Approve the Sale of Real Property Located in Newnan, Coweta County, Georgia by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Morello, Gianluca) (Entered: 08/03/2010)
08/03/2010	<u>450</u>		MOTION to Approve Settlement <i>re: Anton Bruehl, individually and as Trustee of the Bruehl Family Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A–Settlement Agreement)(Lamont, Michael) (Entered: 08/03/2010)
08/04/2010	<u>451</u>		ORDER granting <u>449</u> Motion to approve the Sale of Real property located in Newnan, Coweta County, Georgia. Signed by Judge Richard A. Lazzara on 8/4/2010. (JLH) (Entered: 08/04/2010)
08/04/2010	<u>452</u>		ORDER ATTACHED granting <u>450</u> Receiver's Motion to Approve Settlement with Anton Bruehl, individually and as Trustee of the Bruehl Family Trust. Signed by Judge Richard A. Lazzara on 8/4/2010. (CCB) (Entered: 08/04/2010)
08/09/2010	<u>453</u>		Unopposed MOTION for miscellaneous relief, specifically Expand Receivership to Include Traders Investment Club by Burton W. Wiand.

			(Attachments: # <u>1</u> Declaration of Burton Wiand, As Receiver, In Support of Motion to Expand, # <u>2</u> Exhibit A to Declaration of Burton Wiand In Support of Motion to Expand)(Morello, Gianluca) (Entered: 08/09/2010)
08/09/2010	<u>454</u>		ORDER ATTACHED granting <u>453</u> Receiver's Motion to Expand Receivership to Include Traders Investment Club. Signed by Judge Richard A. Lazzara on 8/9/2010. (CCB) (Entered: 08/09/2010)
08/11/2010	<u>455</u>		NOTICE of Appearance by Michael A. Nardella on behalf of LandMark Bank of Florida (Nardella, Michael) (Entered: 08/11/2010)
08/17/2010	<u>456</u>		MOTION for Hearing <i>and for Instructions</i> by E. John Lopez, Norton Hammersley Lopez & Skokos. (Chapman, John) (Entered: 08/17/2010)
08/17/2010	<u>457</u>		MOTION to Approve Consent Judgment <i>and Notice of Filing Consent of Defendant Arthur Nadel</i> by Securities and Exchange Commission. (Attachments: # <u>1</u> Consent of Defendant Arthur Nadel, # <u>2</u> Text of Proposed Order (Proposed Judgment of Permanent Injunction and Other Relief As to Defendant Arthur Nadel))(Masel, Scott) (Entered: 08/17/2010)
08/18/2010	458		ENDORSED ORDER granting <u>456</u> Motion for Hearing. Hearing scheduled Friday, August 27, 2010, at 8:30 a.m. Signed by Judge Richard A. Lazzara on 8/18/2010. (SKH) (Entered: 08/18/2010)
08/18/2010	459		NOTICE of Hearing: Hearing scheduled Friday, August 27, 2010 at 8:30 a.m. in Courtroom 15B before Judge Richard A. Lazzara on Movants' request for in-camera hearing and court instruction. (SKH) (Entered: 08/18/2010)
08/18/2010	<u>460</u>		JUDGMENT OF PERMANENT INJUNCTION and other relief as to Defendant Arthur Nadel. ORDER granting <u>457</u> Motion to Approve Consent Judgment. Signed by Judge Richard A. Lazzara on 8/18/2010. (See order) (MSS) (Entered: 08/18/2010)
08/18/2010	<u>461</u>		JUDGMENT OF PERMANENT INJUNCTION and other relief in favor of Securities and Exchange Commission against Arthur Nadel (Signed by Richard A. Lazzara) (JLH) (Entered: 08/18/2010)
08/18/2010	<u>462</u>		STATUS REPORT <i>The Receiver's Sixth Interim Report</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Morello, Gianluca) (Entered: 08/18/2010)

08/18/2010	<u>463</u>		MOTION for protective order <i>as to Subpoena Duces Tecum, and Supporting Memorandum of Law</i> by IBERIABANK. (Rollins, Traci) (Entered: 08/18/2010)
08/18/2010	<u>464</u>		RESPONSE to motion re <u>456</u> MOTION for Hearing <i>and for Instructions</i> filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Morello, Gianluca) (Entered: 08/18/2010)
08/19/2010	465		ENDORSED ORDER directing Burton W. Wiand to respond to <u>463</u> Non-Party IberiaBank's Objection and Motion for Protective Order as to Subpoena Duces Tecum. Responses due by 8/26/2010 at 12:00 p.m., and scheduling hearing on the Motion on Friday, August 27, 2010, at 8:30 a.m. Signed by Judge Richard A. Lazzara on 8/19/2010. (SKH) (Entered: 08/19/2010)
08/19/2010	466		NOTICE of Hearing on Motion <u>463</u> for Protective Order as to Subpoena Duces Tecum: Motion Hearing scheduled Friday, August 27, 2010 at 8:30 a.m., in Courtroom 15B before Judge Richard A. Lazzara. (SKH) (Entered: 08/19/2010)
08/19/2010	<u>467</u>		ORDER ATTACHED denying <u>463</u> Motion for protective order and cancelling hearing scheduled on this motion on 8/27/2010 at 8:30 a.m. Signed by Judge Richard A. Lazzara on 8/19/2010. (SKH) (Entered: 08/19/2010)
08/20/2010	<u>468</u>		MOTION to Approve Settlement by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Morello, Gianluca) (Entered: 08/20/2010)
08/23/2010	<u>469</u>		ORDER ATTACHED granting <u>468</u> Receiver's Motion to Approve Settlement with Michael Burgess associated with Case No. 8:10-cv-68-T-17MAP. Signed by Judge Richard A. Lazzara on 8/23/2010. (CCB) (Entered: 08/23/2010)
08/27/2010	<u>470</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Motion Hearing held on 8/27/2010 re <u>456</u> MOTION for Hearing <i>and for Instructions</i> filed by E. John Lopez, Norton Hammersley Lopez & Skokos. Court Reporter: Claudia Spangler-Fry (MSS) (Entered: 08/27/2010)
08/27/2010			Sealed document S-2 (JLH) (Entered: 08/27/2010)
08/27/2010			Sealed document S-3 (JLH) (Entered: 08/27/2010)
08/30/2010	<u>471</u>		ORDER/NOTICE canceling pretrial conference scheduled for 12/2/2010 and trial scheduled for

			1/3/2011. (SKH) (Entered: 08/30/2010)
08/31/2010	<u>472</u>		NOTICE by E. John Lopez, Norton Hammersley Lopez & Skokos and Request to Stop Electronic Notice (Chapman, John) (Entered: 08/31/2010)
08/31/2010	<u>473</u>		MOTION to compel <i>Production of Documents in Compliance with Non-Party Subpoena</i> by Burton W. Wiand. (Attachments: # 1 Exhibit A)**Attachment A image removed; personal identifiers**(Lamont, Michael) Modified on 9/1/2010 (JLH). (Entered: 08/31/2010)
08/31/2010	<u>474</u>		ORDER ATTACHED denying without prejudice for failure to comply with Local Rule 3.01(g) <u>473</u> Motion to Compel, directing parties to confer on or before 9/3/2010, and directing the clerk to send copy of attached order to nonparty counsel. Signed by Judge Richard A. Lazzara on 8/31/2010. (CCB) (Entered: 08/31/2010)
08/31/2010	<u>475</u>		MOTION to compel <i>Production of Documents in Compliance with Non-Party Subpoena</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Lamont, Michael) (Entered: 08/31/2010)
09/01/2010	476		ENDORSED ORDER directing Managed Capital, LLC to file an EXPEDITED RESPONSE to <u>475</u> Motion to Compel Production of Documents in Compliance with Non-Party Subpoena. Responses due on or before 12:00 p.m. on 9/2/2010. EXPEDITED HEARING scheduled Friday, September 3, 2010, at 8:30 a.m. Signed by Judge Richard A. Lazzara on 9/1/2010. (SKH) (Entered: 09/01/2010)
09/01/2010	477		NOTICE of Expedited Hearing on Motion <u>475</u> to Compel Production of Documents in Compliance with Non-Party Subpoena: Motion Hearing set for 9/3/2010 at 8:30 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (SKH) (Entered: 09/01/2010)
09/02/2010	<u>478</u>		ORDER that this letter is not accepted and matters shall not be addressed or presented to the court in the form of a letter. All documents in proper form shall be filed with the clerk and not with the Judgment pursuant to Local Rule 3.01(f). The Clerk is directed to return the above referenced document to the submitting party. Signed by Judge Richard A. Lazzara on 9/2/2010. (JLH) (Entered: 09/02/2010)
09/03/2010	<u>479</u>		MOTION for protective order by Donald H. Rowe. (Cox, Karen) (Entered: 09/03/2010)

09/03/2010	<u>480</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Motion Hearing held on 9/3/2010 <u>475</u> MOTION to compel for Production of Documents in Compliance with Non-Party Subpoena filed by Burton W. Wiand and re <u>479</u> MOTION for protective order filed by Donald H. Rowe. Court Reporter: Claudia Spangler-Fry (MSS) (Entered: 09/03/2010)
09/03/2010	<u>481</u>		ORDER ATTACHED granting <u>475</u> Motion to Compel and denying <u>479</u> Motion for Protective Order. Signed by Judge Richard A. Lazzara on 9/3/2010. (CCB) (Entered: 09/03/2010)
09/07/2010	<u>482</u>		MOTION for protective order, MOTION to quash Subpoena by Marguerite J. Nadel. (Attachments: # <u>1</u> Exhibit)(RFK) (Entered: 09/07/2010)
09/08/2010	<u>483</u>		ORDER ATTACHED denying <u>482</u> Motion for Protective Order. Signed by Judge Richard A. Lazzara on 9/8/2010. (CCB) (Entered: 09/08/2010)
09/08/2010	<u>484</u>		ORDER that in this action, Peg Nadel has sent a letter addressed to the undersigned Judge. Upon review, the document is found to be inappropriate for filing in the following respect(s): Letters Not Accepted/Non-filing with Judge: Matters shall not be addressed or presented to the Court in the form of a letter or the like. All documents, in proper form, shall be filed with the Clerk of the Court and not with the Judge thereof. See Local Rule 3.01(f) Signed by Judge Richard A. Lazzara on 9/8/2010. (AG) (Entered: 09/08/2010)
09/14/2010	<u>485</u>		NOTICE by IBERIABANK to Stop <i>Electronic Notice</i> (Rollins, Traci) (Entered: 09/14/2010)
09/15/2010	<u>486</u>		MOTION to Approve Settlement by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit Settlement Agreement)(Lamont, Michael) (Entered: 09/15/2010)
09/15/2010	<u>487</u>		MOTION to Approve Settlement by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit Settlement Agreement)(Lamont, Michael) (Entered: 09/15/2010)
09/16/2010	<u>488</u>		ORDER ATTACHED granting <u>486</u> Motion to Approve Settlement with Gene Muehring and Karel Muehring associated with 8:10-cv-173-T-17MAP. Signed by Judge Richard A. Lazzara on 9/16/2010. (CCB) (Entered: 09/16/2010)
09/16/2010	<u>489</u>		ORDER ATTACHED granting <u>487</u> Motion to Approve Settlement with Daniel M. Fraser

			associated with 8:10-cv-222-T17MAP. Signed by Judge Richard A. Lazzara on 9/16/2010. (CCB) (Entered: 09/16/2010)
09/22/2010	<u>490</u>		MOTION for miscellaneous relief, specifically <i>To Approve The Sale of 1977 Beech Baron B-55 Aircraft</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit)(Morello, Gianluca) (Entered: 09/22/2010)
09/23/2010	<u>491</u>		ORDER granting <u>490</u> Motion to approve sale of 1977 Beech Baron B-55 aircraft. The Receiver is hereby authorized to sell. Signed by Judge Richard A. Lazzara on 9/23/2010. (JLH) (Entered: 09/23/2010)
09/23/2010	<u>492</u>		Unopposed MOTION for miscellaneous relief, specifically Reappoint Receiver by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Order Reappointing Receiver)(Morello, Gianluca) (Entered: 09/23/2010)
09/23/2010	<u>493</u>		ORDER Reappointing receiver. (see order for further details). Signed by Judge Richard A. Lazzara on 9/23/2010. (JLH) (Entered: 09/23/2010)
09/24/2010	<u>494</u>		TRANSCRIPT of Motion Hearing held on 9/3/10 before Judge Richard A. Lazzara. Court Reporter Claudia Spangler-Fry, Telephone number 813-301-5575. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER or purchased through the Court Reporter. Redaction Request due 10/15/2010, Redacted Transcript Deadline set for 10/25/2010, Release of Transcript Restriction set for 12/23/2010. (CS) (Entered: 09/24/2010)
09/24/2010	495		NOTICE to counsel of filing of OFFICIAL TRANSCRIPT. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy from the court reporter or view the document at the clerk's office public terminal. Court Reporter: Claudia Spangler-Fry (CS) (Entered: 09/24/2010)
10/07/2010	<u>496</u>		Unopposed MOTION for attorney fees <i>Receiver's Unopposed Sixth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs</i>

			<i>to Receiver and His Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21)(Morello, Gianluca) (Entered: 10/07/2010)
10/12/2010	<u>497</u>		ORDER granting <u>496</u> Motion for attorney fees. Signed by Judge Richard A. Lazzara on 10/12/2010. (see order) (MSS) (Entered: 10/12/2010)
10/15/2010	<u>498</u>		Unopposed MOTION for miscellaneous relief, specifically Status Conference by Burton W. Wiand. (Morello, Gianluca) (Entered: 10/15/2010)
10/18/2010	<u>499</u>		MOTION for miscellaneous relief, specifically for Leave to Agree to Restructuring Transactions with Bonds.com by Burton W. Wiand. (Morello, Gianluca) (Entered: 10/18/2010)
10/19/2010	<u>500</u>		ORDER ATTACHED granting <u>499</u> Motion for Leave to Agree to Restructuring Transactions with Bonds.com. Signed by Judge Richard A. Lazzara on 10/19/2010. (CCB) (Entered: 10/19/2010)
10/19/2010	<u>501</u>		ORDER ATTACHED granting <u>498</u> Motion for Status Conference. Signed by Judge Richard A. Lazzara on 10/19/2010. (CCB) (Entered: 10/19/2010)
10/19/2010	502		NOTICE of Hearing: Status Conference set for Thursday, 10/28/2010, at 10:00 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara.(CCB) (Entered: 10/19/2010)
10/19/2010	<u>503</u>		MOTION to Approve Settlement <i>re: Irvin Fagin</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement)(Lamont, Michael) (Entered: 10/19/2010)
10/19/2010	<u>504</u>		ORDER ATTACHED granting <u>503</u> Receiver's Motion to Approve Settlement with Irvin Fagin associated with Case no. 8:10-cv163-T-17MAP. Signed by Judge Richard A. Lazzara on 10/19/2010. (CCB) (Entered: 10/19/2010)
10/19/2010	<u>505</u>		**INCORRECT EVENT CODE; COUNSEL TO REFILE AS A MOTION** NOTICE by Managed Capital, LLC of <i>Intent to Withdraw</i> (Brown, Gregory) Modified on 10/20/2010 (JLH). (Entered: 10/19/2010)

10/19/2010	<u>506</u>		MOTION to Approve Settlement <i>re: Kelvin Lee, Individually and as Trustee of the Nancy E. Lee Trust dtd 12/1/1987, and Barbara Lee, Individually</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement, # <u>2</u> Exhibit B – Settlement Agreement)(Lamont, Michael) (Entered: 10/19/2010)
10/19/2010	<u>507</u>		NOTICE of Appearance by Thomas R. Yaegers on behalf of LandMark Bank of Florida (Yaegers, Thomas) (Entered: 10/19/2010)
10/20/2010	<u>508</u>		ORDER ATTACHED granting <u>506</u> Receiver's Motion to Approve Settlement with Kelvin Lee, et al., associated with Case nos. 8:10-cv-210-T-17MAP, 8:10-cv-211-T-17MAP, and 8:10-cv-251-T-17MAP. Signed by Judge Richard A. Lazzara on 10/20/2010. (CCB) (Entered: 10/20/2010)
10/28/2010	<u>509</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Status Conference held on 10/28/2010. Court Reporter: Sandra K. Lee (MSS) (Entered: 10/28/2010)
10/29/2010	<u>510</u>		MOTION for Gregory P. Brown to withdraw as attorney by Managed Capital, LLC. (Brown, Gregory) (Entered: 10/29/2010)
10/29/2010	511		ENDORSED ORDER granting <u>510</u> Motion to Withdraw as Attorney. The clerk is directed to term the attorney from the docket. Signed by Judge Richard A. Lazzara on 10/29/2010. (CCB) (Entered: 10/29/2010)
11/03/2010	<u>512</u>		MOTION to Approve Settlement <i>re: Yaz Bilimoria</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/03/2010)
11/03/2010	<u>513</u>		MOTION to Approve Settlement <i>re: Ronald Thauer</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/03/2010)
11/03/2010	<u>514</u>		ORDER ATTACHED granting <u>512</u> Receiver's Motion to Approve Settlement with Yaz Bilimoria associated with Case No. 8:10-cv-78-T-17MAP. Signed by Judge Richard A. Lazzara on 11/3/2010. (CCB) (Entered: 11/03/2010)
11/03/2010	<u>515</u>		ORDER ATTACHED granting <u>513</u> Receiver's Motion to Approve Settlement with Ronald Thauer associated with Case No. 8:10-cv-124-T-17MAP.

			Signed by Judge Richard A. Lazzara on 11/3/2010. (CCB) (Entered: 11/03/2010)
11/05/2010	<u>516</u>		Unopposed MOTION to Approve Settlement <i>re: Sharon Moody, individually and as Trustee of the Sharon G. Moody Revocable Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 11/05/2010)
11/08/2010	<u>517</u>		ORDER ATTACHED granting <u>516</u> Receiver's Motion to Approve Settlement with Sharon G. Moody, individually and as Trustee of the Sharon G. Moody Revocable Trust, associated with Case No. 8:10-cv-249-T-17MAP. Signed by Judge Richard A. Lazzara on 11/8/2010. (CCB) (Entered: 11/08/2010)
11/08/2010	<u>518</u>		MOTION to Approve Settlement <i>re: Gaylord Brooks Investment, LLC</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/08/2010)
11/08/2010	<u>519</u>		MOTION to Approve Settlement <i>re: Richard Moore, Thomas Moore, and Richard DiBerardo, as Co-Trustees of the Family Trust u/w Reverly A. Moore</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/08/2010)
11/08/2010	<u>520</u>		MOTION to Approve Settlement <i>re: Richard Moore</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/08/2010)
11/08/2010	<u>521</u>		MOTION to Approve Settlement <i>re: Jeffrey Wilson</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/08/2010)
11/08/2010	<u>522</u>		MOTION to Approve Settlement <i>re: Currituck Capital, LLC</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/08/2010)
11/08/2010	<u>523</u>		MOTION to Approve Settlement <i>re: Kathryn H. Scribner</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/08/2010)
11/08/2010	<u>524</u>		

			MOTION to Approve Settlement <i>re: Nicholas Lombardozzi and Lisa Lombardozzi</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/08/2010)
11/09/2010	<u>525</u>		ORDER ATTACHED granting <u>522</u> Receiver's Motion to Approve Settlement with Currituck Capital, LLC, associated with Case No. 8:10-cv-93-T-17MAP. Signed by Judge Richard A. Lazzara on 11/9/2010. (CCB) (Entered: 11/09/2010)
11/09/2010	<u>526</u>		ORDER ATTACHED granting <u>523</u> Receiver's Motion to Approve Settlement with Kathryn H. Scribner associated with Case No. 8:10-cv-131-T-17MAP. Signed by Judge Richard A. Lazzara on 11/9/2010. (CCB) (Entered: 11/09/2010)
11/09/2010	<u>527</u>		ORDER ATTACHED granting <u>524</u> Receiver's Motion to Approve Settlement with Nicholas Lombardozzi and Lisa Lombardozzi associated with Case No. 8:10-cv-70-T-17MAP. Signed by Judge Richard A. Lazzara on 11/9/2010. (CCB) (Entered: 11/09/2010)
11/09/2010	<u>528</u>		ORDER ATTACHED granting Receiver s Motion to Approve Settlement (518). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Gaylord Brooks Investment, LLC. Signed by Judge Richard A. Lazzara on 11/9/2010. (SKH) (Entered: 11/09/2010)
11/09/2010	<u>529</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (519). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Richard Moore, Thomas Moore, Richard DiBerardo, as Co-Trustees of the Family Trust u/w Reverly A. Moore. Signed by Judge Richard A. Lazzara on 11/9/2010. (SKH) (Entered: 11/09/2010)
11/09/2010	<u>530</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (520). The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Richard Moore. Signed by Judge Richard A. Lazzara on 11/9/2010. (SKH) (Entered: 11/09/2010)
11/09/2010	<u>531</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement (521). The Court approves the written settlement agreement attached to the

			motion entered into between the Receiver and Jeffrey Wilson. Signed by Judge Richard A. Lazzara on 11/9/2010. (SKH) (Entered: 11/09/2010)
11/17/2010	<u>532</u>		MOTION to Approve Settlement <i>re: Mark Neubiesser</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 11/17/2010)
11/17/2010	<u>533</u>		ORDER ATTACHED granting <u>532</u> Receiver's Motion to Approve Settlement with Mark Neubiesser associated with Case No. 8:10-cv-133-T-17MAP. Signed by Judge Richard A. Lazzara on 11/17/2010. (CCB) (Entered: 11/17/2010)
11/17/2010	<u>534</u>		Unopposed MOTION for miscellaneous relief, specifically to Relinquish Possession of Certain Artistic Prints by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A–Part 1, # <u>2</u> Exhibit A–Part 2, # <u>3</u> Exhibit A–Part 3, # <u>4</u> Exhibit A–Part 4, # <u>5</u> Exhibit B–Appraisal, # <u>6</u> Exhibit C)(Morello, Gianluca) (Entered: 11/17/2010)
11/17/2010	<u>535</u>		Second MOTION to Approve Settlement <i>re: Jeffrey Wilson</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Amended Settlement Agreement)(Lamont, Michael) (Entered: 11/17/2010)
11/17/2010	<u>536</u>		Second MOTION to Approve Settlement <i>re: Richard Moore</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Amended Settlement Agreement)(Lamont, Michael) (Entered: 11/17/2010)
11/18/2010	<u>537</u>		ORDER ATTACHED granting <u>535</u> Receiver's Motion to Approve Settlement with Jeffrey Wilson associated with Case No. 8:10-cv-113-T-17MAP. Signed by Judge Richard A. Lazzara on 11/18/2010. (CCB) (Entered: 11/18/2010)
11/18/2010	<u>538</u>		ORDER ATTACHED granting <u>536</u> Receiver's Motion to Approve Settlement with Richard Moore associated with Case No. 8:10-cv-209-T-17MAP. Signed by Judge Richard A. Lazzara on 11/18/2010. (CCB) (Entered: 11/18/2010)
11/18/2010	<u>539</u>		ORDER ATTACHED granting <u>534</u> Receiver's Unopposed Motion to Relinquish Possession of Certain Artistic Prints. Signed by Judge Richard A. Lazzara on 11/18/2010. (DMB) (Entered: 11/18/2010)

11/18/2010	<u>540</u>		STATUS REPORT <i>Receiver's Seventh Interim Report (5/1/10–9/30/10)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Summary of C. Moody Assets)(Morello, Gianluca) (Entered: 11/18/2010)
11/19/2010	<u>541</u>		MOTION to quash Subpoena by Donald H. Rowe. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Motion to Quash Subpoena, # <u>2</u> Exhibit Exhibit 2 to Motion to Quash Subpoena, # <u>3</u> Exhibit Exhibit 3 to Motion to Quash Subpoena)(Savitz, Edward) (Entered: 11/19/2010)
11/22/2010	<u>542</u>		ORDER ATTACHED denying without prejudice <u>541</u> Motion to Quash and directing Rowe to comply with the subpoena no later than noon 12/6/2010. Signed by Judge Richard A. Lazzara on 11/22/2010. (CCB) (Entered: 11/22/2010)
12/01/2010	<u>543</u>		INCORRECT EVENT CODE; COUNSEL NOTIFIED TO REFILE** NOTICE OF REMOVAL by City of Venice <i>Notice of Withdrawal from Case</i> (Hildreth, Mark) Modified on 12/1/2010 (JLH). (Entered: 12/01/2010)
12/02/2010	<u>544</u>		MOTION for protective order by Donald H. Rowe. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Rowe's Motion for Protective Order, # <u>2</u> Exhibit Composite Exhibit 2 to Rowe's Motion for Protective Order, # <u>3</u> Exhibit Exhibit 3 to Rowe's Motion for Protective Order, # <u>4</u> Exhibit Exhibit 4 to Rowe's Motion for Protective Order)(Moe, Anne–Leigh) (Entered: 12/02/2010)
12/02/2010	<u>545</u>		MOTION to Approve Settlement <i>re: Michael Brown</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 12/02/2010)
12/02/2010	<u>546</u>		MOTION to Approve Settlement <i>re: Henry A. Stumpf, John McCord, and Kirk O. Broberg, as Co–Trustees of the Daley Investment Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 12/02/2010)
12/02/2010	<u>547</u>		MOTION to Approve Settlement <i>re: Wing Y. Chin and Margaret Chin, as Co–Trustees of the Wing Y. and Margaret Chin Revocable Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 12/02/2010)

12/02/2010	<u>548</u>		ORDER directing Non-Party Rowe to file with this Court on or before 12/6/2010, a detailed privilege log in strict compliance with the Federal Rules of Civil Procedure with regard to the documents and information he claims are protected from disclosure by either the attorney-client privilege or the work product privilege; and ORDER directing the Receiver to respond to <u>544</u> Non-Party Rowe's Motion for Protective Order on or before 12/9/2010. The Court will conduct a hearing on the motion on Monday, December 13, 2010, at 10:00 a.m. Signed by Judge Richard A. Lazzara on 12/2/2010. (SKH) (Entered: 12/02/2010)
12/02/2010	549		NOTICE of Hearing on Motion <u>544</u> for protective order: Motion Hearing scheduled Monday, December 13, 2010 at 10:00 a.m., in Courtroom 15B before Judge Richard A. Lazzara. (SKH) (Entered: 12/02/2010)
12/02/2010	<u>550</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement <u>545</u> . The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Michael Brown (Case No: 8:10-cv-73-T-17MAP). Signed by Judge Richard A. Lazzara on 12/2/2010. (SKH) (Entered: 12/02/2010)
12/02/2010	<u>551</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement <u>546</u> . The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Henry A. Stumpf, John McCord, and Kirk O. Broberg, as Co-Trustees of the Daley Investment Trust (Case No: 8:10-cv-208-T-17MAP). Signed by Judge Richard A. Lazzara on 12/2/2010. (SKH) (Entered: 12/02/2010)
12/02/2010	<u>552</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement <u>547</u> . The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Wing Y. Chin and Margaret Chin, as Co-Trustees of the Wing Y. and Margaret Chin Revocable Trust (Case No: 8:10-cv-158-T-17MAP). Signed by Judge Richard A. Lazzara on 12/2/2010. (SKH) (Entered: 12/02/2010)
12/03/2010	<u>553</u>		ORDER ATTACHED supplementing order at docket 548. Signed by Judge Richard A. Lazzara on 12/3/2010. (CCB) (Entered: 12/03/2010)
12/06/2010	<u>554</u>		MOTION for Mark D. Hildreth to withdraw as attorney <i>and Request to Stop Electronic Notice</i> by

			City of Venice. (Hildreth, Mark) (Entered: 12/06/2010)
12/06/2010	<u>555</u>		MOTION to Approve Settlement <i>re: Randie Ekenberg, et al.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 12/06/2010)
12/06/2010	<u>556</u>		MOTION to Approve Settlement <i>re: Kathy C. Humpert</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 12/06/2010)
12/06/2010	<u>557</u>		MOTION to Approve Settlement <i>re: Merlyn W.V. Lofgren</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 12/06/2010)
12/06/2010	558		ENDORSED ORDER granting <u>554</u> Motion to withdraw as attorney by Mark D. Hildreth. The clerk is directed to remove Mr. Hildreth from electronic notice. Signed by Judge Richard A. Lazzara on 12/6/2010. (SKH) (Entered: 12/06/2010)
12/07/2010	<u>559</u>		ORDER ATTACHED granting <u>555</u> Receiver's Motion to Approve Settlement with Randie Ekenberg, associated with Case No. 8:10-cv-2144-T-17MAP. Signed by Judge Richard A. Lazzara on 12/7/2010. (CCB) (Entered: 12/07/2010)
12/07/2010	<u>560</u>		ORDER ATTACHED granting <u>556</u> Receiver's Motion to Approve Settlement with Kathy C. Humpert, associated with Case No. 8:10-cv-2166-T-17MAP. Signed by Judge Richard A. Lazzara on 12/7/2010. (CCB) (Entered: 12/07/2010)
12/07/2010	<u>561</u>		ORDER ATTACHED granting <u>557</u> Receiver's Motion to Approve Settlement with Merlyn W.V. Lofgren, associated with Case No. 8:10-cv-168-T-17MAP. Signed by Judge Richard A. Lazzara on 12/7/2010. (CCB) (Entered: 12/07/2010)
12/07/2010	<u>562</u>		MOTION for Edward O. Savitz, Anne-Leigh Gaylord Moe, Karen S. Cox to withdraw as attorney by Donald H. Rowe. (Moe, Anne-Leigh) (Entered: 12/07/2010)
12/07/2010	<u>563</u>		MOTION to stay Deadlines re <u>562</u> MOTION for Edward O. Savitz, Anne-Leigh Gaylord Moe,

			Karen S. Cox to withdraw as attorney by Donald H. Rowe. (Moe, Anne-Leigh) (Entered: 12/07/2010)
12/08/2010	<u>564</u>		ORDER ATTACHED regarding motions to withdraw and stay. Signed by Judge Richard A. Lazzara on 12/8/2010. (CCB) (Entered: 12/08/2010)
12/08/2010	565		NOTICE of Hearing on <u>563</u> Motion to Stay Deadlines and <u>562</u> Motion for Edward O. Savitz, Anne-Leigh Gaylord Moe, Karen S. Cox to withdraw as attorney set for Friday, 12/10/2010 at 10:00 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 12/08/2010)
12/09/2010	<u>566</u>		RESPONSE in opposition re <u>563</u> MOTION to stay Deadlines re <u>562</u> MOTION for Edward O. Savitz, Anne-Leigh Gaylord Moe, Karen S. Cox to withdraw as attorney filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 12/09/2010)
12/09/2010	<u>567</u>		RESPONSE in opposition re <u>544</u> MOTION for protective order filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Subpoena, # <u>2</u> Exhibit 2 – Formica v. Rowe et al., Motion to Dismiss)(Morello, Gianluca) (Entered: 12/09/2010)
12/10/2010	<u>568</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Motion Hearing held on 12/10/2010 re <u>544</u> MOTION for protective order, <u>563</u> MOTION to stay Deadlines re <u>562</u> , MOTION for Edward O. Savitz, Anne-Leigh Gaylord Moe, Karen S. Cox to withdraw as attorney. Court Reporter: Janie Gibbs (MSS) (Entered: 12/10/2010)
12/10/2010	<u>569</u>		ORDER denying <u>544</u> Motion for protective order. Mr. Rowe to produce records to receiver on or before 1/3/2011; granting <u>562</u> Motion to withdraw as attorney. The firm of Bush Ross, P.A., are relieved of any further responsibility to represent Mr. and Mrs. Rowe and their related entities in this action; denying as moot <u>563</u> Motion to stay. The Court has given Mr. Rowe ample time to hire new counsel before having to produce the subpoenaed records. Signed by Judge Richard A. Lazzara on 12/10/2010. (SKH) (Entered: 12/10/2010)
12/10/2010	570		NOTICE canceling motion hearing scheduled for 12/13/2010 (MSS) (Entered: 12/10/2010)
12/10/2010	<u>571</u>		MOTION to Approve Settlement <i>re: Stanley W. Mason, Jr., individually, Stanley W. Mason, Jr. and Doris A. Mason, as Trustees of the Stanley W. Mason, Jr. and Doris A. Mason Trust Agreement w/a/d September 24, 1998, and the Mason Family Limited Partnership</i> by Burton W. Wiand.

			(Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 12/10/2010)
12/10/2010	<u>572</u>		MOTION to Approve Settlement <i>re: KeyBank National Association f/k/a Key Trust Company of Ohio, N.A. as Trustee of the William H. Price, II Revocable Dynasty Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 12/10/2010)
12/10/2010			Mail returned as Undeliverable re: <u>537</u> Order on Motion to Approve Settlement, <u>539</u> Order on Motion for Miscellaneous Relief, <u>538</u> Order on Motion to Approve Settlement. Address update per information on BOP website. Mail resent to Arthur Nadel. (CD) (Entered: 12/13/2010)
12/13/2010	<u>573</u>		ORDER ATTACHED granting <u>571</u> Receiver's Motion to Approve Settlement with Stanley W. Mason, Jr.; Stanley W. Mason Jr. and Doris A. Mason as Trustees; and the Mason Family Limited Partnership associated with Case No. 8:10-cv-219-T-17MAP. Signed by Judge Richard A. Lazzara on 12/13/2010. (CCB) (Entered: 12/13/2010)
12/13/2010	<u>574</u>		ORDER ATTACHED granting <u>572</u> Receiver's Motion to Approve Settlement with KeyBank National Association f/k/a Key Trust Company of Ohio, N.A. as Trustee of the William H. Price, II Revocable Dynasty Trust, associated with Case No. 8:10-cv-178-T-17MAP. Signed by Judge Richard A. Lazzara on 12/13/2010. (CCB) (Entered: 12/13/2010)
12/13/2010	<u>575</u>		MOTION for miscellaneous relief, specifically for leave to pay the mediator fees for the clawback mediations already conducted, and for those yet to be conducted, directly from funds in the Receivership Estate by Burton W. Wiand. (Morello, Gianluca) (Entered: 12/13/2010)
12/14/2010	576		ENDORSED ORDER granting <u>575</u> Motion regarding Mediator Fees. Signed by Judge Richard A. Lazzara on 12/14/2010. (CCB) (Entered: 12/14/2010)
12/15/2010	<u>577</u>		Unopposed MOTION for attorney fees <i>Receiver's Unopposed Seventh Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Standardized

			<p>Fund Accounting Report, # <u>2</u> Exhibit 2 – Receiver's Seventh Interim Report, # <u>3</u> Exhibit 3 – Scoop Receivership–Representation of Scoop Receivership, # <u>4</u> Exhibit 4 – Scoop Receivership–Recovery from Investors, # <u>5</u> Exhibit 5 – Scoop Receivership–Recovery of Assets from N and C Moody, # <u>6</u> Exhibit 6 – Scoop Receivership–Recovery of Commissions, # <u>7</u> Exhibit 7 – Scoop Receivership–Holland &amp; Knight, # <u>8</u> Exhibit 8 – Categorization and Summary of All Costs Incurred By WGK, # <u>9</u> Exhibit 9 – Attorney Fee Schedule, # <u>10</u> Exhibit 10 – Scoop Legal Team–Scoop Capital, LLC Receivership, # <u>11</u> Exhibit 11 – Fowler White Invoice, # <u>12</u> Exhibit 12 – Scoop Legal Team–HFH v. Bishop, # <u>13</u> Exhibit 13 – Scoop Legal Team–Carolina Mtn Land Conservancy, # <u>14</u> Exhibit 14 – Scoop Legal Team–Recovery from Investors, # <u>15</u> Exhibit 15 – Johnson Pope Invoice, # <u>16</u> Exhibit 16 – Scoop Legal Team–Recovery of Assets from N and C Moody, # <u>17</u> Exhibit 17 – Scoop Legal Team–Recovery of Commissions, # <u>18</u> Exhibit 18 – Scoop Legal Team–Holland &amp; Knight, # <u>19</u> Exhibit 19 – PDR Invoices, # <u>20</u> Exhibit 20 – Riverside Financial Group Invoices, # <u>21</u> Exhibit 21 – E–Hounds, Inc. Invoices, # <u>22</u> Exhibit 22 – The RWJ Group, LLC Invoices, # <u>23</u> Exhibit 23 – Proposed Order)(Morello, Gianluca) (Entered: 12/15/2010)</p>
12/15/2010	<u>578</u>		<p>MOTION to Approve Settlement <i>re: Gary Hill</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 12/15/2010)</p>
12/16/2010	<u>579</u>		<p>ORDER ATTACHED granting <u>578</u> Receiver's Motion to Approve Settlement with Gary Hill, associated with Case No. 8:10-cv-109-T-17MAP. Signed by Judge Richard A. Lazzara on 12/16/2010. (CCB) (Entered: 12/16/2010)</p>
12/16/2010	<u>580</u>		<p>Unopposed MOTION for miscellaneous relief, specifically to Approve the Sale of 1978 Cessna 152 Aircraft by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order)(Morello, Gianluca) (Entered: 12/16/2010)</p>
12/16/2010	<u>581</u>		<p>ORDER granting <u>580</u> Unopposed Verified Motion to approve the sale of 1978 Cessna 152 Aircraft. Signed by Judge Richard A. Lazzara on 12/16/2010. (MSS) (Entered: 12/16/2010)</p>
12/17/2010	<u>582</u>		<p>ORDER granting <u>577</u> Motion for attorney fees.</p>

			Signed by Judge Richard A. Lazzara on 12/17/2010. (MSS) (Entered: 12/17/2010)
01/05/2011	<u>583</u>		MOTION to Approve Settlement <i>re: Mark A. Timmick and Winners Circle Fund, L.P.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Lamont, Michael) (Entered: 01/05/2011)
01/05/2011	<u>584</u>		ORDER ATTACHED granting <u>583</u> Receiver's Motion to Approve Settlement with Mark A. Timmick and Winners Circle Fund, L.P., associated with Case No. 8:10-cv-201-T-17MAP. Signed by Judge Richard A. Lazzara on 1/5/2011. (CCB) (Entered: 01/05/2011)
01/10/2011	<u>585</u>		MOTION to Approve Settlement <i>re: Albert R. Gaskill, Jr., as Trustee of the Albar Management Profit Sharing Plan &amp; Trust dtd 08/82</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 01/10/2011)
01/10/2011	<u>586</u>		ORDER ATTACHED granting <u>585</u> Receiver's Motion to Approve Settlement with Albert R. Gaskill, Jr., as Trustee of the Albar Management Profit Sharing Plan & Trust dtd 08/82 associated with Case No. 8:10-cv-143-T-17MAP. Signed by Judge Richard A. Lazzara on 1/10/2011. (CCB) (Entered: 01/10/2011)
01/11/2011	<u>587</u>		MOTION to quash Subpoena by DEUnit Trust Associates, Carrelage Multi-Strategy Offshore Fund, Ltd., David Ehrlich. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Holmes, David) (Entered: 01/11/2011)
01/12/2011	<u>588</u>		ORDER ATTACHED denying as moot <u>587</u> Motion to Quash. Signed by Judge Richard A. Lazzara on 1/12/2011. (CCB) (Entered: 01/12/2011)
01/18/2011	<u>589</u>		MOTION to Approve Settlement <i>re: James A.W. Cook</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 01/18/2011)
01/18/2011	<u>590</u>		ORDER ATTACHED granting <u>589</u> Receiver's Motion to Approve Settlement with James A.W. Cook associated with Case No. 8:10-cv-94-T-17MAP. Signed by Judge Richard A. Lazzara on 1/18/2011. (CCB) (Entered: 01/18/2011)
01/19/2011	<u>591</u>		MOTION to Approve Settlement <i>re: Lobdell Multi-Focus Fund, L.P.</i> by Burton W. Wiand.

			(Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 01/19/2011)
01/19/2011	<u>592</u>		ORDER ATTACHED granting <u>591</u> Receiver's Motion to Approve Settlement with Lobdell Multi-Focus Fund, L.P. associated with Case No. 8:10-cv-129-T-17MAP. Signed by Judge Richard A. Lazzara on 1/19/2011. (CCB) (Entered: 01/19/2011)
01/25/2011	<u>593</u>		MOTION to Approve Settlement <i>re: Richard Fagin, individually and as Trustee of the Richard Fagin Trust 1994</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 01/25/2011)
01/26/2011	<u>594</u>		ORDER ATTACHED granting <u>593</u> Receiver's Motion to Approve Settlement with Richard Fagin, individually and as Trustee of the Richard Fagin Trust 1994 associated with Case No. 8:10-cv-183-T-17MAP. Signed by Judge Richard A. Lazzara on 1/26/2011. (CCB) (Entered: 01/26/2011)
01/26/2011	<u>595</u>		MOTION to Approve Settlement <i>re: Eric A. Kaye</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 01/26/2011)
01/27/2011	<u>596</u>		ORDER ATTACHED granting <u>595</u> Receiver's Motion to Approve Settlement with Eric A. Kaye associated with Case No. 8:10-cv-132-T-17MAP. Signed by Judge Richard A. Lazzara on 1/27/2011. (CCB) (Entered: 01/27/2011)
02/01/2011	<u>597</u>		MOTION to Approve Settlement <i>re: Paul Farley</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 02/01/2011)
02/01/2011	<u>598</u>		ORDER ATTACHED granting <u>597</u> Receiver's Motion to Approve Settlement with Paul Farley associated with Case No. 8:10-cv-145-T-17MAP. Signed by Judge Richard A. Lazzara on 2/1/2011. (CCB) (Entered: 02/01/2011)
02/18/2011	<u>599</u>		Unopposed MOTION for miscellaneous relief, specifically approve the Sale of Real Property located at 2433 West Main Street, Tupelo, Lee County, Mississippi 38801 by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Agreement)(Morello, Gianluca) (Entered: 02/18/2011)

02/21/2011	<u>600</u>		MOTION to Approve Settlement <i>re: Michael Corcione</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 02/21/2011)
02/22/2011	<u>601</u>		ORDER granting <u>599</u> Motion approve the Sale of Real Property located at 2433 West Main Street, Tupelo, Lee County, Mississippi 38801; See order for further details.. Signed by Judge Richard A. Lazzara on 2/22/2011. (JLH) (Entered: 02/22/2011)
02/22/2011	<u>602</u>		ORDER ATTACHED granting <u>600</u> Receiver's Motion to Approve Settlement with Michael Corcione associated with Case No. 8:10-cv-234-T-17MAP. Signed by Judge Richard A. Lazzara on 2/22/2011. (CCB) (Entered: 02/22/2011)
03/07/2011	<u>603</u>		MOTION to Approve Settlement <i>re: James LeTellier</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 03/07/2011)
03/07/2011	<u>604</u>		ORDER ATTACHED granting <u>603</u> Receiver's Motion to Approve Settlement with James LeTellier associated with Case No. 8:10-cv-2150-T-17MAP. Signed by Judge Richard A. Lazzara on 3/7/2011. (CCB) (Entered: 03/07/2011)
03/09/2011	<u>605</u>		MOTION to Approve Settlement <i>re: James River Diversified Fund, L.P., James River Multi-Strategy Fund, L.P., and Paul Saunders</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement, # <u>2</u> Exhibit B – Executed Settlement Agreement, # <u>3</u> Exhibit C – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 03/09/2011)
03/10/2011	<u>606</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement <u>605</u> . The Court approves the written settlement agreement attached to the motion entered into between the Receiver and James River Diversified Fund, L.P. (Case No: 10-cv-90-T-17MAP), James River Multi-Strategy Fund, L.P., and Paul Saunders (Case No: 10-cv-159-T-17MAP). Signed by Judge Richard A. Lazzara on 3/10/2011. (SKH) (Entered: 03/10/2011)
03/10/2011	<u>607</u>		Unopposed MOTION for miscellaneous relief, specifically to Approve Sale of Jewelry by Public

			Auction by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Description of Jewelry, # <u>3</u> Exhibit 3 – Agreement)(Morello, Gianluca) (Entered: 03/10/2011)
03/11/2011	<u>608</u>		ORDER granting <u>607</u> Receiver's Unopposed Motion to approve sale of jewelry by public auction. Signed by Judge Richard A. Lazzara on 3/11/2011. (MSS) (Entered: 03/11/2011)
03/14/2011	<u>609</u>		STATUS REPORT <i>Receiver's Eighth Interim Report (10/1/10–12/31/10)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – C. Moody Spreadsheet)(Morello, Gianluca) (Entered: 03/14/2011)
03/22/2011	<u>610</u>		MOTION to Approve Settlement <i>re: Chester Trachtenberg, Foxhaven, LLC, as successor in interest of Ouisa, LLC, and Cherrytoes, LLC, as successor in interest of Beatrice, LLC</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 03/22/2011)
03/23/2011	<u>611</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement <u>610</u> . The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Chester Trachtenberg, Foxhaven, LLC, as successor in interest of Ouisa, LLC, and Cherrytoes, LLC, as successor in interest of Beatrice, LLC, (Case No.: 8:10-cv-1257-T-17MAP). Signed by Judge Richard A. Lazzara on 3/23/2011. (SKH) (Entered: 03/23/2011)
03/30/2011	<u>612</u>		MOTION to Approve Settlement <i>re: Tracy G. Becker, Sharon Reisdorf, Cynthia Baschmann, and Scott Becker</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 03/30/2011)
03/30/2011	<u>613</u>		ORDER ATTACHED granting <u>612</u> Receiver's Motion to Approve Settlement with Tracy G. Becker, Sharon Reisdorf, Cynthia Baschmann, and Scott Becker associated with Case No. 8:10-cv-76-T-17MAP. Signed by Judge Richard A. Lazzara on 3/30/2011. (CCB) (Entered: 03/30/2011)
04/01/2011	<u>614</u>		MOTION to Approve Settlement <i>re: Carolina Mountain Land Conservancy</i> by Burton W. Wiand.

			(Attachments: # <u>1</u> Exhibit I – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 04/01/2011)
04/04/2011	<u>615</u>		ORDER ATTACHED granting <u>614</u> Receiver's Motion to Approve Settlement with Carolina Mountain Land Conservancy associated with Case no. 8:09-cv-2443-T-27MAP. Signed by Judge Richard A. Lazzara on 4/4/2011. (CCB) (Entered: 04/04/2011)
04/20/2011	<u>616</u>		NOTICE of Appearance by Steven R. Wirth on behalf of Wells Fargo Bank, N.A. (Wirth, Steven) (Entered: 04/20/2011)
04/20/2011	<u>617</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval to Serve Proposals for Settlement in Connection with Ancillary Actions by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Template of a Proposal for Settlement)(Lamont, Michael) (Entered: 04/20/2011)
04/21/2011	<u>618</u>		ORDER granting <u>617</u> Unopposed MOTION for miscellaneous relief, specifically for Approval to Serve Proposals for Settlement in Connection with Ancillary Actions by Burton W. Wiand. Signed by Judge Richard A. Lazzara on 4/21/2011. (SKH) (Entered: 04/21/2011)
04/25/2011	<u>619</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval of Sale of Undeveloped Land Located in Grady County, Georgia by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Purchase and Sale Agreement)(Morello, Gianluca) (Entered: 04/25/2011)
04/25/2011	<u>620</u>		ORDER granting <u>619</u> Motion for approval of sale of undeveloped land located in Grady County, Georgia. Signed by Judge Richard A. Lazzara on 4/25/2011. (MSS) (Entered: 04/25/2011)
04/26/2011	<u>621</u>		MOTION to Approve Settlement <i>re Tracy Becker</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Tracy Becker Settlement Agreement)(Lamont, Michael) (Entered: 04/26/2011)
04/26/2011	<u>622</u>		MOTION to Approve Settlement <i>re: Vivian K. Kouvant</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Vivian K. Kouvant Settlement Agreement)(Lamont, Michael) (Entered: 04/26/2011)
04/26/2011	<u>623</u>		ORDER ATTACHED granting <u>621</u> Receiver's Motion to Approve Settlement with Tracy Becker,

			et al., associated with Case No. 8:10-cv-76-T-17MAP. Signed by Judge Richard A. Lazzara on 4/26/2011. (CCB) (Entered: 04/26/2011)
04/26/2011	<u>624</u>		ORDER ATTACHED granting <u>622</u> Receiver's Motion to Approve Settlement with Vivian K. Kouvant associated with Case No.8:10-cv-225-T-17MAP. Signed by Judge Richard A. Lazzara on 4/26/2011. (CCB) (Entered: 04/26/2011)
04/29/2011	<u>625</u>		Unopposed MOTION for miscellaneous relief, specifically Limited Relief from Injunction by Richard T. Williams. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order Proposed Order)(Gaskill, Jason) (Entered: 04/29/2011)
05/02/2011	<u>626</u>		ORDER granting <u>625</u> Unopposed Motion for limited relief from injunction. Signed by Judge Richard A. Lazzara on 5/2/2011. (MSS) (Entered: 05/02/2011)
05/04/2011	<u>627</u>		MOTION to Approve Settlement <i>re: Sam Richter</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/04/2011)
05/04/2011	<u>628</u>		ORDER ATTACHED granting <u>627</u> Receiver's Motion to Approve Settlement with Sam Richter associated with Case No. 8:10-cv-1114-T-17MAP. Signed by Judge Richard A. Lazzara on 5/4/2011. (CCB) (Entered: 05/04/2011)
05/18/2011	<u>629</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval of Sale of Real Property Located on North Jefferson Avenue in Sarasota County, Florida by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Agreement)(Morello, Gianluca) (Entered: 05/18/2011)
05/18/2011	<u>630</u>		ORDER granting <u>629</u> Unopposed Verified Motion for approval of sale of real property located on North Jefferson Avenue in Sarasota County, Florida. Signed by Judge Richard A. Lazzara on 5/18/2011. (MSS) (Entered: 05/18/2011)
05/25/2011	<u>631</u>		Unopposed MOTION for miscellaneous relief, specifically to Convey Certain Business Assets and Real Property Located at 599 Lime Avenue, Sarasota, Florida 34237 by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5,

			# <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10)(Morello, Gianluca) (Entered: 05/25/2011)
05/25/2011	<u>632</u>		MOTION to Approve Settlement <i>re: Lee and Donald Douglas</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/25/2011)
05/26/2011	<u>633</u>		ORDER granting <u>631</u> Receiver's Unopposed Motion convey certain business assets and real property. Signed by Judge Richard A. Lazzara on 5/26/2011. (see order) (MSS) (Entered: 05/26/2011)
05/26/2011	<u>634</u>		ORDER ATTACHED granting <u>632</u> Receiver's Motion to Approve Settlement with Lee and Donald Douglas. Signed by Judge Richard A. Lazzara on 5/26/2011. (CCB) (Entered: 05/26/2011)
06/03/2011	<u>635</u>		MOTION to Approve Settlement <i>re: John Grier Construction Co. and Joseph S. Terrell, Jr., et al.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 06/03/2011)
06/03/2011	<u>636</u>		ORDER ATTACHED granting <u>635</u> Receiver's Motion to Approve Settlement with John Grier Construction Co. and Joseph S. Terrell, et al., associated with Case Nos. 8:10-cv-111-T-17MAP and 8:10-cv-238-T-17MAP. Signed by Judge Richard A. Lazzara on 6/3/2011. (CCB) (Entered: 06/03/2011)
06/08/2011	<u>637</u>		MOTION to Approve Settlement <i>re: Bradford Black</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/08/2011)
06/09/2011	<u>638</u>		ORDER ATTACHED granting <u>637</u> Receiver's Motion to Approve Settlement with Bradford Black associated with Case No. 8:10-cv-77-T-17MAP. Signed by Judge Richard A. Lazzara on 6/9/2011. (CCB) (Entered: 06/09/2011)
06/09/2011	<u>639</u>		MOTION to Approve Settlement <i>re: Wells Fargo Securities International, Ltd. f/k/a Wachovia Securities International, Ltd. and Carrelage Multi-Strategy Offshore Fund, Ltd.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/09/2011)
06/10/2011	<u>640</u>		

			ORDER ATTACHED granting <u>639</u> Receiver's Motion to Approve Settlement with Wells Fargo Securities International Ltd. and Carrelage Multi-Strategy Offshore Fund, Ltd. associated with Case No. 8:10-cv-243-T-17MAP. Signed by Judge Richard A. Lazzara on 6/10/2011. (CCB) (Entered: 06/10/2011)
06/13/2011	<u>641</u>		MOTION to Approve Settlement <i>re: David H. Boshart</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/13/2011)
06/13/2011	<u>642</u>		ORDER ATTACHED granting <u>641</u> Receiver's Motion to Approve Settlement with David H. Boshart associated with Case No. 8:10-cv-74-T-17MAP. Signed by Judge Richard A. Lazzara on 6/13/2011. (CCB) (Entered: 06/13/2011)
06/20/2011	<u>643</u>		MOTION to Approve Settlement <i>re: Renee G. Sheade, as Trustee of the Martin D. Sheade, M.D. Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/20/2011)
06/20/2011	<u>644</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement <u>643</u> . The Court approves the written settlement agreement attached to the motion entered into between the Receiver and Renee G. Sheade, as Trustee of the Martin D. Sheade, M.D. Trust (Case No: 8:10-cv-215-T-17MAP). Signed by Judge Richard A. Lazzara on 6/20/2011. (SKH) (Entered: 06/20/2011)
06/30/2011	<u>645</u>		Unopposed MOTION for attorney fees <i>Receiver's Unopposed Eighth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30)(Morello, Gianluca) (Entered: 06/30/2011)
07/08/2011	<u>646</u>		

			ORDER ATTACHED granting <u>645</u> Unopposed Receiver's Eighth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals. Signed by Judge Richard A. Lazzara on 7/8/2011. (SKH) (Entered: 07/08/2011)
07/21/2011	<u>647</u>		STATUS REPORT <i>Receiver's Ninth Interim Report (1/1/11 – 4/30/11)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – C. Moody's Assets)(Morello, Gianluca) (Entered: 07/21/2011)
08/12/2011	<u>648</u>		MOTION to Approve Settlement <i>re: Mayfair Associates (179) and Betty Bry Schwab, as Trustee of the Betty Bry Schwab Revocable Trust (226)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 08/12/2011)
08/12/2011	<u>649</u>		ORDER ATTACHED granting <u>648</u> Receiver's Motion to Approve Settlement with Betty Bry Schwab, Roger Schwab, Mayfair Associates, Inc. et al., associated with case nos. 8:10-cv-179-T-17MAP and 8:10-cv-226-T-17MAP. Signed by Judge Richard A. Lazzara on 8/12/2011. (CCB) (Entered: 08/12/2011)
09/02/2011	<u>650</u>		Unopposed MOTION for miscellaneous relief, specifically to Approve Sale of Real Property Located in Lorain County, Ohio by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Quit-Claim Deed, # <u>3</u> Exhibit 3 – Purchase and Sale Agreement)(Morello, Gianluca) (Entered: 09/02/2011)
09/06/2011	<u>651</u>		ORDER granting <u>650</u> Unopposed Verified Motion for approval of sale of real property located in Lorain County, Ohio. Signed by Judge Richard A. Lazzara on 9/6/2011. (MSS) (Entered: 09/06/2011)
09/14/2011	<u>652</u>		Unopposed MOTION for attorney fees <i>Receiver's Unopposed Ninth Interim Motion for Order Awarding Fees, Costs and Reimbursement of Costs to Receiver and His Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1–Standardized Fund Accounting Report, # <u>2</u> Exhibit 2–Receiver's 9th Interim Report, # <u>3</u> Exhibit 3–Scoop Receivership–Rep of Scoop Receivership, # <u>4</u> Exhibit 4–Scoop Receivership–Carolina Mtn Land Conservancy, # <u>5</u> Exhibit 5–Scoop Receivership–Recovery from Investors, # <u>6</u> Exhibit 6–Scoop Receivership–Recovery of Assets from N.

			and C. Moody, # <u>7</u> Exhibit 7–Scoop Receivership–Recovery of Commissions, # <u>8</u> Exhibit 8–Scoop Receivership–Holland & Knight, # <u>9</u> Exhibit 9–Categorization and Summary of WGK Costs, # <u>10</u> Exhibit 10–Attorney Fee Schedule, # <u>11</u> Exhibit 11–Scoop Legal Team–Scoop Capital, LLC Receivership, # <u>12</u> Exhibit 12–Fowler White, # <u>13</u> Exhibit 13–Scoop Legal Team–HFH v. B. Bishop, # <u>14</u> Exhibit 14–Scoop Legal Team–Carolina Mtn Land Conservancy, # <u>15</u> Exhibit 15–Scoop Legal Team–Recovery from Investors, # <u>16</u> Exhibit 16–Johnson, Pope, # <u>17</u> Exhibit 17–Scoop Legal Team–Recovery of Assets from N. and C. Moody, # <u>18</u> Exhibit 18–Scoop Legal Team–Recovery of Commissions, # <u>19</u> Exhibit 19–Scoop Legal Team–Holland & Knight, # <u>20</u> Exhibit 20–PDR, # <u>21</u> Exhibit 21–E–Hounds, # <u>22</u> Exhibit 22–The RWJ Group, LLC, # <u>23</u> Exhibit 23–Cheney, Brock & Saudek, P.C., # <u>24</u> Exhibit 24–Goosmann Rose Colvard & Cramer, P.A., # <u>25</u> Exhibit 25–Proposed Order)(Morello, Gianluca) (Entered: 09/14/2011)
09/21/2011	<u>653</u>		MOTION to Approve Settlement <i>re: EFG Bank and John or Jane Doe</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 09/21/2011)
09/21/2011	<u>654</u>		ORDER ATTACHED granting <u>653</u> Receiver's Motion to Approve Settlement with EFG Bank and associated with Case No. 8:10-cv-242-T-17MAP. Signed by Judge Richard A. Lazzara on 9/21/2011. (CCB) (Entered: 09/21/2011)
09/22/2011	<u>655</u>		MOTION to Approve Settlement <i>re: Jewish Family and Children's Service of Sarasota–Manatee, Inc.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 09/22/2011)
09/22/2011	<u>656</u>		ORDER ATTACHED granting <u>655</u> Receiver's Motion to Approve Settlement with Jewish Family and Children's Service of Sarasota–Manatee, Inc. Signed by Judge Richard A. Lazzara on 9/22/2011. (CCB) (Entered: 09/22/2011)
09/23/2011	<u>657</u>		ORDER granting <u>652</u> Unopposed Receiver's Ninth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and his Professionals. Signed by Judge Richard A. Lazzara on 9/23/2011. (SKH) (Entered: 09/23/2011)
10/05/2011	<u>658</u>		MOTION to Approve Settlement <i>re: Steven Settlage</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A –

			Executed Settlement Agreement)(Lamont, Michael) (Entered: 10/05/2011)
10/06/2011	<u>659</u>		ORDER ATTACHED granting <u>658</u> Receiver's Motion to Approve Settlement with Steven Settlege and associated with Case No. 8:10-cv-136-T-17MAP. Signed by Judge Richard A. Lazzara on 10/6/2011. (CCB) (Entered: 10/06/2011)
10/18/2011	<u>660</u>		MOTION to Approve Settlement <i>re: Barbara Davis et al.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 10/18/2011)
10/18/2011	<u>661</u>		ORDER ATTACHED granting <u>660</u> Receiver's Motion to Approve Settlement with Barbara Davis associated with Case No. 8:10-cv-2152-T-17MAP. Signed by Judge Richard A. Lazzara on 10/18/2011. (CCB) (Entered: 10/18/2011)
10/18/2011	<u>662</u>		Second MOTION to Approve Settlement <i>re: Steven Settlege</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Amended Settlement Agreement)(Lamont, Michael) (Entered: 10/18/2011)
10/18/2011	<u>663</u>		ORDER ATTACHED granting <u>662</u> Receiver's Second Motion to Approve Settlement with Steven Settlege associated with Case No. 8:10-cv-136-T-17MAP. Signed by Judge Richard A. Lazzara on 10/18/2011. (CCB) (Entered: 10/18/2011)
10/20/2011	<u>664</u>		Unopposed MOTION for leave to file excess pages <i>in connection with the Claims Determination Motion</i> by Burton W. Wiand. (Morello, Gianluca) (Entered: 10/20/2011)
10/20/2011	665		ENDORSED ORDER granting <u>664</u> Motion for Leave to File Excess Pages. Signed by Judge Richard A. Lazzara on 10/20/2011. (CCB) (Entered: 10/20/2011)
10/24/2011	666		NOTICE of Status Conference set for 10/26/2011 at 10:00 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. Counsel for the SEC may appear telephonically. (CCB) (Entered: 10/24/2011)
10/26/2011	<u>667</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Status Conference held on 10/26/2011. Court Reporter: Claudia Spangler-Fry (MSS) (Entered: 10/26/2011)

10/31/2011	<u>668</u>		MOTION for miscellaneous relief, specifically for Permission to Appeal by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A–Order Adopting Report and Recommendation, # <u>2</u> Exhibit B–Case List, # <u>3</u> Exhibit C–Receiver's Objections to Magistrate Judge's Report and Recommendation)(Morello, Gianluca) (Entered: 10/31/2011)
10/31/2011	<u>669</u>		ORDER ATTACHED granting <u>668</u> Motion for Permission to Appeal. Signed by Judge Richard A. Lazzara on 10/31/2011. (SKH) (Entered: 10/31/2011)
11/21/2011	<u>670</u>		NOTICE by Securities and Exchange Commission <i>of No Objection to the Receiver Taking an Appeal of the September 29, 2011 Arbitration Order</i> (Masel, Scott) (Entered: 11/21/2011)
11/22/2011	<u>671</u>		Second MOTION for miscellaneous relief, specifically for Permission to Appeal by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Munson Order (206), # <u>2</u> Exhibit B – Munson Family Ptrs Order (221), # <u>3</u> Exhibit C – Wang Order (112), # <u>4</u> Exhibit D – Rec's Obj to Pizzo's RGianluca) (Entered: 11/22/2011)
11/22/2011	<u>672</u>		ORDER ATTACHED granting <u>671</u> Receiver's Motion for Permission to Appeal. Signed by Judge Richard A. Lazzara on 11/22/2011. (CCB) (Entered: 11/22/2011)
11/30/2011	<u>673</u>		Unopposed MOTION to Seal Document <i>specifically, to seal document containing identity of claimants</i> by Burton W. Wiand. (Morello, Gianluca) (Entered: 11/30/2011)
11/30/2011	674		ENDORSED ORDER granting <u>673</u> Motion to Seal Documents. Signed by Judge Richard A. Lazzara on 11/30/2011. (CCB) (Entered: 11/30/2011)
12/07/2011	<u>675</u>		Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Blank Proof of Claim Form, # <u>2</u> Exhibit B – Investor Claims – Allowed, # <u>3</u> Exhibit C – Tax Lien Claims – Allowed, # <u>4</u> Exhibit D – Investor Claims – Allowed In Part, # <u>5</u> Exhibit E – Non–Investor Secured Claims – Allowed In Part, # <u>6</u> Exhibit F –Non–Investor Unsecured Claims – Allowed And Allowed In Part, # <u>7</u> Exhibit G – Investor Claims –

		Denied, # <u>8</u> Exhibit H – Secured and Unsecured Non-Investor Claims – Denied, # <u>9</u> Exhibit I – Investor Claims – Waived, # <u>10</u> Exhibit J – Non-Investor Claims – Waived, # <u>11</u> Exhibit K – SEC v. Mutual Benefits Corp. Order 10-23-08, # <u>12</u> Exhibit L – Proposed Order)(Morello, Gianluca) (Entered: 12/07/2011)
12/08/2011		Sealed document S-4. (BSN) (Entered: 12/09/2011)
12/09/2011	<u>676</u>	NOTICE by Burton W. Wiand re <u>675</u> Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure <i>of Filing Amended Exhibits B &amp; I</i> (Attachments: # <u>1</u> Exhibit Doc. 675 – Amended Exhibit B, # <u>2</u> Exhibit 675 – Amended Exhibit I)(Morello, Gianluca) (Entered: 12/09/2011)
12/13/2011	<u>677</u>	OBJECTION re <u>675</u> Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership

			Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure. (Hoeck, Kathryn) (Entered: 12/13/2011)
12/13/2011	<u>678</u>		NOTICE by Burton W. Wiand re <u>675</u> Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure <i>Of Mailing Letters To Claimants Providing Notice Of Motion And Other Claims Information</i> (Morello, Gianluca) (Entered: 12/13/2011)
12/14/2011	<u>679</u>		Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement, # <u>2</u> Exhibit B – CFTC v. Equity Fin. Grp., Rec's Memo of Law, # <u>3</u> Exhibit C – Proposed Order)(Morello, Gianluca) (Entered: 12/14/2011)
12/14/2011	<u>680</u>		AFFIDAVIT of Burton W. Wiand re: <u>679</u> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> by Burton W. Wiand. (Morello, Gianluca) (Entered: 12/14/2011)
12/14/2011	<u>681</u>		Unopposed MOTION for miscellaneous relief, specifically to approve proposed notice of settlement <i>relating to Docket 679</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Notice)(Morello, Gianluca) (Entered: 12/14/2011)
12/14/2011	682		ENDORSED ORDER granting <u>681</u> Motion to Approve Proposed Notice of Settlement. The proposed Notice to Investors and Others attached as

			Exhibit A to the motion, the procedures outlined in the exhibit and motion, and the proposed Short Form Notice are hereby approved, and the Receiver may provide notice accordingly. Signed by Judge Richard A. Lazzara on 12/14/2011. (CCB) (Entered: 12/14/2011)
12/15/2011	<u>683</u>		Unopposed MOTION for leave to file to Respond to LandMark Bank's Objection to Proposed Objection Procedure by Burton W. Wiand. (Morello, Gianluca) (Entered: 12/15/2011)
12/15/2011	684		ENDORSED ORDER granting <u>683</u> Motion for Leave to File Response to Landmark Bank's Objection within seven (7) days. Signed by Judge Richard A. Lazzara on 12/15/2011. (CCB) (Entered: 12/15/2011)
12/15/2011	<u>685</u>		STATUS REPORT <i>Receiver's Tenth Interim Report (5/1/11 – 11/30/11)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A–Standardized Fund Accounting Report (5/1/11 to 8/31/11), # <u>2</u> Exhibit B–Standardized Fund Accounting Report (9/1/11–11/30/11), # <u>3</u> Exhibit C–C. Moody's Assets)(Morello, Gianluca) (Entered: 12/15/2011)
12/16/2011	<u>686</u>		NOTICE by Burton W. Wiand <i>Of Mailing Court–Approved Notice Of Settlement With GSEC</i> (Morello, Gianluca) (Entered: 12/16/2011)
12/20/2011	<u>687</u>		NOTICE of Appearance by Ana T. Barnett on behalf of Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank, N.A. (Barnett, Ana) (Entered: 12/20/2011)
12/21/2011	<u>688</u>		NOTICE of Appearance by Ana T. Barnett on behalf of TRSTE, Inc. (Barnett, Ana) (Entered: 12/21/2011)
12/21/2011	<u>689</u>		OBJECTION re <u>675</u> Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection

		ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure ( <i>Objection and Memorandum of Law</i> ) by Wells Fargo Bank, N.A. by Wells Fargo Bank, N.A.. (Wirth, Steven) (Entered: 12/21/2011)
12/21/2011	<u>690</u>	RESPONSE in opposition re <u>675</u> Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection ProcedureUnopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure <i>Objection and Opposition to Receiver's Motion to Approve Determination and Priority of Claims and Supporting Memorandum of Law</i> filed by TRSTE, Inc., Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank, N.A.. (Attachments: # <u>1</u> Exhibit Declaration of TRSTE, Inc. records custodian, # <u>2</u> Exhibit Receiver's February 6, 2009 letter, # <u>3</u> Exhibit Declaration of Mayda Nahhas, # <u>4</u> Exhibit SDNY Preliminary Order of Forfeiture/Final Order of Forfeiture, # <u>5</u> Exhibit SDNY Indictment, # <u>6</u> Exhibit Declaration of W. Samuel Woodard, Esq.)(Barnett, Ana) (Entered: 12/21/2011)
12/22/2011	<u>691</u>	Unopposed MOTION for miscellaneous relief, specifically for leave to retain the James Hoyer law firm to pursue claims against Wachovia Bank, N.A. n/k/a Wells Fargo Bank, N.A. by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Contingency Fee Agreement)(Morello, Gianluca) (Entered: 12/22/2011)
12/22/2011	<u>692</u>	RESPONSE re <u>677</u> Objection filed by <i>LandMark Bank</i> filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 12/22/2011)

12/23/2011	<u>693</u>		Unopposed MOTION for leave to file Reply To Wells Fargo Bank, N.A.'s (as Successor To Wachovia Bank, N.A.) Objection Relating To Claim Relating To Loan On Graham, N.C. Building by Burton W. Wiand. (Morello, Gianluca) (Entered: 12/23/2011)
12/23/2011	<u>694</u>		Unopposed MOTION for leave to file Reply To TRSTE, Inc.'s And Wells Fargo Bank, N.A.'s (As Successor To Wachovia Bank, N.A.) Objection Relating To Laurel Mountain, N.C., Property by Burton W. Wiand. (Morello, Gianluca) (Entered: 12/23/2011)
12/27/2011	695		ENDORSED ORDER granting [693 &694] Motion for Leave to File Reply on or before January 17, 2012. Signed by Judge Richard A. Lazzara on 12/27/2011. (CCB) (Entered: 12/27/2011)
12/27/2011	<u>696</u>		ORDER ATTACHED granting <u>691</u> Motion to Retain the James Hoyer law firm. Signed by Judge Richard A. Lazzara on 12/27/2011. (CCB) (Entered: 12/27/2011)
12/28/2011	<u>697</u>		Unopposed MOTION for attorney fees <i>Receiver's Unopposed Tenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1–Standardized Fund Accounting Report, # <u>2</u> Exhibit 2–Receiver's Tenth Interim Report, # <u>3</u> Exhibit 3–Scoop Receivership–Rep of Scoop Receivership, # <u>4</u> Exhibit 4–Scoop Receivership–HFH v. B. Bishop, # <u>5</u> Exhibit 5–Scoop Receivership–Recovery from Investors, # <u>6</u> Exhibit 6–Scoop Receivership–Recovery of Assets from N. and C. Moody, # <u>7</u> Exhibit 7–Scoop Receivership–Holland & Knight, # <u>8</u> Exhibit 8–Categorization and Summary of WGK Costs, # <u>9</u> Exhibit 9–Attorney Fee Schedule, # <u>10</u> Exhibit 10–Scoop Legal Team–Scoop Capital, LLC Receivership, # <u>11</u> Exhibit 11–Fowler White, # <u>12</u> Exhibit 12–Scoop Legal Team–HFH v. B. Bishop, # <u>13</u> Exhibit 13–Scoop Legal Team–Carolina Mtn Land Conservancy, # <u>14</u> Exhibit 14–Scoop Legal Team–Recovery from Investors, # <u>15</u> Exhibit 15–Johnson, Pope, # <u>16</u> Exhibit 16–Scoop Legal Team–Recovery of Assets from N. and C. Moody, # <u>17</u> Exhibit 17–Scoop Legal Team–Recovery of Commissions, # <u>18</u> Exhibit 18–Scoop Legal Team–Holland & Knight, # <u>19</u> Exhibit 19–PDR, # <u>20</u> Exhibit 20–Riverside Financial Group, # <u>21</u> Exhibit 21–E–Hounds, Inc., # <u>22</u> Exhibit 22–RWJ

			Group, LLC, # <u>23</u> Exhibit 23–Wheeler, Fairman & Kelley, # <u>24</u> Exhibit 24–Leonard Starr, PC, # <u>25</u> Exhibit 25–Proposed Order)(Morello, Gianluca) (Entered: 12/28/2011)
01/03/2012	698		ENDORSED ORDER ENDORSED ORDER that pursuant to the USDC – Middle District of Florida's Administrative Procedures for Electronic Filing in Civil and Criminal Cases, Section I(A) "... all documents filed in civil and criminal cases in this District... shall be filed electronically." Therefore, it is ORDERED AND ADJUDGED that counsel of record in this case shall register for CM/ECF, enter an email address in their CM/ECF account, and electronically file a notice of compliance with this Court's Order within 30 days. Failure to comply with this Order as directed will result in counsel being terminated from the docket sheet without further notice. If counsel is an out of state attorney who needs to apply to be admitted pro hac vice in this case, the motion to appear pro hac vice and designation of local counsel (pursuant to Local Rule 2.02), the special admission form and appropriate fee shall be submitted to the Court before CM/ECF access will be granted. Signed by Judge Richard A. Lazzara on 1/3/2012. (DMB) (Entered: 01/03/2012)
01/03/2012	<u>699</u>		NOTICE by Burton W. Wiand of <i>Publication of Receiver's Court–Approved Notice of Settlement with GSEC</i> (Morello, Gianluca) (Entered: 01/03/2012)
01/04/2012	<u>700</u>		NOTICE of Appearance by Julie Fishman Berkowitz on behalf of Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank, N.A. (Berkowitz, Julie) (Entered: 01/04/2012)
01/04/2012	<u>701</u>		NOTICE of Appearance by Julie Fishman Berkowitz on behalf of TRSTE, Inc. (Berkowitz, Julie) (Entered: 01/04/2012)
01/04/2012	<u>702</u>		NOTICE of compliance re 698 Order by Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank, N.A. (Barnett, Ana) (Entered: 01/04/2012)
01/05/2012	<u>703</u>		NOTICE of compliance re 698 Order by Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank, N.A. (Berkowitz, Julie) (Entered: 01/05/2012)
01/05/2012	<u>704</u>		NOTICE of Appearance by Kevin Michael Eckhardt on behalf of Fulcrum Distressed Opportunities Fund I, LP (Eckhardt, Kevin) (Entered: 01/05/2012)

01/05/2012	<u>705</u>		NOTICE of Appearance by Carol A. Kalish on behalf of YMCA Foundation of Sarasota, Inc. (Kalish, Carol) (Entered: 01/05/2012)
01/06/2012	<u>706</u>		Verified MOTION for miscellaneous relief, specifically to Approve the Sale of Real Property Located In Graham, Alamance County, North Carolina by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1–Proposed Order, # <u>2</u> Exhibit 2–Agreement of Sale of Purchase, # <u>3</u> Exhibit 3–SEC v. Mutual Benefits Corp. Order)(Morello, Gianluca) (Entered: 01/06/2012)
01/09/2012	<u>707</u>		OBJECTION re <u>679</u> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> filed by Barbara Meeker. (JLH) (Entered: 01/09/2012)
01/17/2012	<u>708</u>		OBJECTION re <u>679</u> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> by Kelvin V. Lee. (JLH) (Entered: 01/17/2012)
01/17/2012	<u>709</u>		OBJECTION re <u>679</u> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> by Kelvin V. Lee, Trustee, Nancy Lee Trust (JLH) (Entered: 01/17/2012)
01/17/2012	<u>710</u>		OBJECTION re <u>679</u> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> by Diane Pezick. (JLH) (Entered: 01/17/2012)
01/17/2012	<u>711</u>		OBJECTION re <u>679</u> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> by Tyna Gaylor. (JLH) (Entered: 01/17/2012)
01/17/2012	<u>712</u>		REPLY to response to motion re <u>675</u> Unopposed

			<p>MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure</p> <p>Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure</p> <p>Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure</p> <p>Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure</p> <p><i>Reply to TRSTE, Inc.'s and Wells Fargo Bank, N.A.'s Objection and Opposition to Receiver's Motion to Approve Determination and Priority of Claims (Doc. 690) filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/17/2012)</i></p>
01/17/2012	<u>713</u>		<p>DECLARATION of Gianluca Morello re <u>712</u> Reply to response to motion by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11 – Part 1 of 2, # <u>12</u> Exhibit 11 – Part 2 of 2, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13)(Morello, Gianluca) (Entered: 01/17/2012)</p>
01/17/2012	<u>714</u>		<p>REPLY to response to motion re <u>675</u> Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure</p> <p>Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure</p> <p>Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure</p> <p>Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure</p> <p>Unopposed MOTION for miscellaneous relief, specifically to (1) Approve Determination</p>

			And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, And (4) Establish Objection Procedure <i>Reply to Wells Fargo Bank, N.A.'s Objection to Receiver's Motion to Approve Determination and Priority of Claims (Doc. 689)</i> filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Morello, Gianluca) (Entered: 01/17/2012)
01/17/2012	<u>715</u>		RESPONSE in opposition re <u>679</u> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> filed by Vernon M. Lee, Brian L. Meeker, Samuel Ross Morgan III. (Hightower, John) (Entered: 01/17/2012)
01/18/2012	<u>716</u>		RESPONSE in opposition re <u>679</u> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> filed by Marty Huppert. (Hightower, John) (Entered: 01/18/2012)
01/18/2012	<u>717</u>		ORDER granting <u>697</u> Motion for attorney fees. Signed by Judge Richard A. Lazzara on 1/18/2012. (see order for details) (MSS) (Entered: 01/18/2012)
01/19/2012	<u>718</u>		OBJECTION re <u>706</u> Verified MOTION for miscellaneous relief, specifically to Approve the Sale of Real Property Located In Graham, Alamance County, North Carolina by Wells Fargo Bank, N.A., Wells Fargo Bank, N.A. by Wells Fargo Bank, N.A., Wells Fargo Bank, N.A.. (Attachments: # <u>1</u> Exhibit A)(Shaheen, Louis) (Entered: 01/19/2012)
01/19/2012	<u>719</u>		MOTION to compel ( <i>Receiver to Abandon The Property Located at 841 South Main Street, Graham, North Carolina</i> ) by Wells Fargo Bank, N.A., Wells Fargo Bank, N.A.. (Attachments: # <u>1</u> Exhibit Composite Exh. A)(Shaheen, Louis) (Entered: 01/19/2012)
01/20/2012	<u>720</u>		MOTION for Howard Schiffman to appear pro hac vice by Goldman Sachs Execution & Clearing, L.P.. (Weber, Janelle) (Entered: 01/20/2012)
01/20/2012	<u>721</u>		MOTION for Eric A. Bensky to appear pro hac vice by Goldman Sachs Execution & Clearing, L.P.. (Weber, Janelle) (Entered: 01/20/2012)
01/20/2012			

			***PRO HAC VICE FEES paid and Special Admission Attorney Certification Form filed by attorney Eric A. Bensky appearing on behalf of Goldman Sachs Execution & Clearing, L.P. (Filing fee \$10 receipt number TPA9312.) (JNB) (Entered: 01/23/2012)
01/20/2012			***PRO HAC VICE FEES paid and Special Admission Attorney Certification Form filed by attorney Howard Schiffman appearing on behalf of Goldman Sachs Execution & Clearing, L.P. (Filing fee \$10 receipt number TPA9312.) (JNB) (Entered: 01/23/2012)
01/23/2012	722		ENDORSED ORDER granting [720 & 721] Motions to Appear Pro Hac Vice. Signed by Judge Richard A. Lazzara on 1/23/2012. (CCB) (Entered: 01/23/2012)
01/23/2012	<u>723</u>		Unopposed MOTION for leave to file to respond to objections to motion to approve settlement (Doc. 679) with Goldman Sachs Execution & Clearing, L.P. by Burton W. Wiand. (Morello, Gianluca) (Entered: 01/23/2012)
01/23/2012	724		ENDORSED ORDER granting <u>723</u> Motion for Leave to File Reply. Signed by Judge Richard A. Lazzara on 1/23/2012. (CCB) (Entered: 01/23/2012)
01/23/2012	<u>725</u>		NOTICE of compliance re 698 Order by Securities and Exchange Commission (Masel, Scott) (Entered: 01/23/2012)
01/24/2012	<u>726</u>		ORDER ATTACHED denying <u>706</u> Verified Motion to Approve the Sale of Real Property in Graham, Alamance County, North Carolina. Signed by Judge Richard A. Lazzara on 1/24/2012. (CCB) (Entered: 01/24/2012)
01/24/2012	727		ENDORSED ORDER directing Receiver to file an expedited response to <u>719</u> Motion to Compel Receiver to Abandon The Property Located at 841 South Main Street, Graham, North Carolina) on or before 2/1/2012. Signed by Judge Richard A. Lazzara on 1/24/2012. (CCB) (Entered: 01/24/2012)
02/01/2012	<u>728</u>		RESPONSE in opposition re <u>719</u> MOTION to compel ( <i>Receiver to Abandon The Property Located at 841 South Main Street, Graham, North Carolina</i> ) filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Morello, Gianluca) (Entered: 02/01/2012)
02/01/2012	<u>729</u>		DECLARATION of Burton W. Wiand re <u>728</u> Response in opposition to motion by Burton W.

			Wiand. (Morello, Gianluca) (Entered: 02/01/2012)
02/02/2012	<u>730</u>		NOTICE by Burton W. Wiand of <i>Filing letter from the Receiver to the Court relating to matters between the Receivership in this case and Wells Fargo Bank, N.A.</i> (Morello, Gianluca) (Entered: 02/02/2012)
02/02/2012	<u>731</u>		REPLY to response to motion re <u>679</u> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution &amp; Clearing, L.P. ("GSEC")</i> filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Morello, Gianluca) (Entered: 02/02/2012)
02/02/2012	<u>732</u>		AFFIDAVIT of Burton W. Wiand re: <u>731</u> Reply to response to motion by Burton W. Wiand. (Morello, Gianluca) (Entered: 02/02/2012)
02/03/2012	<u>733</u>		ORDER ATTACHED setting hearing on docket 675 and ordering briefing schedule. The Clerk is directed to serve copies of this order in accordance with the attached order. Signed by Judge Richard A. Lazzara on 2/3/2012. (CCB) (Entered: 02/03/2012)
02/03/2012	734		NOTICE of Hearing on <u>675</u> Unopposed Motion for Miscellaneous Relief, specifically to (1) Approve Determination And Priority Of Claims, (2) Pool Receivership Assets And Liabilities, (3) Approve Plan Of Distribution, and (4) Establish Objection Procedure, set for 3/2/2012 at 9:00 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 02/03/2012)
02/06/2012	<u>735</u>		ORDER ATTACHED setting all objections to docket 675 for oral argument on March 2, 2012. Signed by Judge Richard A. Lazzara on 2/6/2012. (CCB) (Entered: 02/06/2012)
02/06/2012	<u>736</u>		NOTICE of <i>Limited Appearance</i> by Terry Alan Smiljanich on behalf of Burton W. Wiand (Smiljanich, Terry) (Entered: 02/06/2012)
02/07/2012	<u>737</u>		NOTICE of <i>Limited Appearance</i> by Jonathan Betten Cohen on behalf of Burton W. Wiand (Cohen, Jonathan) (Entered: 02/07/2012)
02/07/2012	<u>738</u>		NOTICE of <i>Limited Appearance</i> by Sean P. Keefe on behalf of Burton W. Wiand (Keefe, Sean) (Entered: 02/07/2012)
02/08/2012	<u>739</u>		MOTION for miscellaneous relief, specifically to Appoint Appraisers <i>pursuant to 28 U.S.C. §2001 to</i>

			<i>Appraise Receivership Real Property In Graham, North Carolina</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Qualifications of Thomas J. Skeahan, # <u>2</u> Exhibit B – Qualifications of Roscoe W. Shiplett, # <u>3</u> Exhibit C – Qualifications of Mark A. Morgan)(Keefe, Sean) (Entered: 02/08/2012)
02/08/2012	<u>740</u>		MOTION for leave to file To File Late Claims ( <i>Wells Fargo Bank, N.A. (1) For Determination that the filing of Proofs of Claim Herein is not Necessary to Preserve Secured Creditors' Valid State Law Security Interests In, and Claims against, Collateral In the Receiver's Possession or, In the Alternative, (ii) For Leave to File Late Claims Pursuant to FRCP 60(b)</i> ) by Wells Fargo Bank, N.A.. (Attachments: # <u>1</u> Exhibit Composite Exh. A, # <u>2</u> Exhibit Composite Exh. B, # <u>3</u> Exhibit Composite Exh. C, # <u>4</u> Exhibit Comosite Exh. D, # <u>5</u> Exhibit Exhibit E)(Wirth, Steven) (Entered: 02/08/2012)
02/09/2012	<u>741</u>		ORDER ATTACHED regarding obligations of attorneys with regard to motion to appoint appraisers at docket 739. Signed by Judge Richard A. Lazzara on 2/9/2012. (CCB) (Entered: 02/09/2012)
02/10/2012	<u>742</u>		ORDER ATTACHED granting <u>679</u> Receiver's Motion to Approve Settlement With Goldman Sachs Execution & Clearing, L.P. See written order for complete details. Clerk is directed to enter the order as a final judgment. Signed by Judge Richard A. Lazzara on 2/10/2012. (DMB) (Entered: 02/10/2012)
02/10/2012	<u>743</u>		ORDER ATTACHED directing the Receiver to Respond to docket 740 on or before 2/23/2012. Signed by Judge Richard A. Lazzara on 2/10/2012. (CCB) (Entered: 02/10/2012)
02/13/2012	<u>744</u>		JUDGMENT per settlement agreement order at doc. 742. (Signed by Deputy Clerk) (JLH) (Entered: 02/13/2012)
02/13/2012	<u>745</u>		RESPONSE re <u>733</u> Order filed by Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank, N.A.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Barnett, Ana) (Entered: 02/13/2012)
02/13/2012	<u>746</u>		LETTER to the Court dated 2/7/12 from Diane Pezick (JLH) (Entered: 02/14/2012)
02/14/2012	<u>747</u>		NOTICE of compliance re <u>739</u> MOTION for miscellaneous relief, specifically to Appoint Appraisers <i>Receivers Motion to Appoint</i>

			<i>Appraisers Pursuant to 28 U.S.C. §2001 to Appraise Receivership Real Property In Graham, North Carolina, <u>741</u> Order Local Rule 3.01(G) Certification For Docket Entry #739 by Burton W. Wiand (Keefe, Sean) (Entered: 02/14/2012)</i>
02/14/2012	<u>748</u>		NOTICE of compliance re <u>741</u> Order and Counter-Submission of Appraisers by Wells Fargo Bank, N.A., Wells Fargo Bank, N.A. (Attachments: # <u>1</u> Exhibit Composite A)(Wirth, Steven) (Entered: 02/14/2012)
02/22/2012	<u>749</u>		NOTICE of Appearance by Anita M. Cream on behalf of Securities and Exchange Commission (Cream, Anita) (Entered: 02/22/2012)
02/22/2012	<u>750</u>		Unopposed MOTION to extend time to file Memorandum by Securities and Exchange Commission. (Cream, Anita) (Entered: 02/22/2012)
02/22/2012	<u>751</u>		MOTION to Approve Settlement by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1)(Morello, Gianluca) (Entered: 02/22/2012)
02/23/2012	<u>752</u>		ENDORSED ORDER granting <u>750</u> Motion to extend time to file memo. Deadline extended to 3/1/2012. Signed by Judge Richard A. Lazzara on 2/23/2012. (SKH) (Entered: 02/23/2012)
02/23/2012	<u>753</u>		RESPONSE re <u>745</u> Response, <u>733</u> Order filed by Securities and Exchange Commission. (Masel, Scott) (Entered: 02/23/2012)
02/23/2012	<u>754</u>		ORDER ATTACHED granting <u>751</u> Receiver's Motion to Approve Settlement with Neil V. Moody in connection with 8:10-cv-249-T-17MAP. Signed by Judge Richard A. Lazzara on 2/23/2012. (CCB) (Entered: 02/23/2012)
02/23/2012	<u>755</u>		RESPONSE in opposition to <i>Motion of Wells Fargo Bank, N.A. (I) for Determination re Proofs of Claims</i> filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Part 1 of 2, # <u>2</u> Exhibit A – Part 2 of 2)(Cohen, Jonathan) (Entered: 02/23/2012)
02/23/2012	<u>756</u>		DECLARATION of of Jonathan Cohen in Support of the Receiver's Opposition to Motion of Wells Fargo Bank, N.A. (I) for Determination That the Filing of Proofs of Claim Herein Is Not Necessary to Preserve Secured Creditors' Valid State Law Security Interests In, and Claims Against, Collateral in the Receiver's Possession, or in the Alternative, (II) for Leave to File Late Claims re <u>755</u> Response in opposition to motion by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u>

		Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M)(Cohen, Jonathan) (Entered: 02/23/2012)
02/23/2012	<u>757</u>	RESPONSE re <u>733</u> Order <i>Receiver's Memorandum on Jurisdiction and Response to Wells Fargo Bank and Trste's Memorandum on Jurisdiction</i> filed by Burton W. Wiand. (Cohen, Jonathan) (Entered: 02/23/2012)
02/24/2012	<u>758</u>	NOTICE of <i>Limited Appearance</i> by Megan Elizabeth Davis on behalf of Burton W. Wiand (Davis, Megan) (Entered: 02/24/2012)
02/27/2012	<u>759</u>	Unopposed MOTION for leave to file To File Reply To Receiver's Opposition ( <i>Doc. No. 755</i> ) by Wells Fargo Bank, N.A.. (Wirth, Steven) (Entered: 02/27/2012)
02/27/2012	760	ENDORSED ORDER granting <u>759</u> Motion for Leave to File on or before Tuesday, February 28, 2012, at 5:00 p.m. Signed by Judge Richard A. Lazzara on 2/27/2012. (CCB) (Entered: 02/27/2012)
02/28/2012	<u>761</u>	NOTICE by LandMark Bank of Florida of <i>Intent to Rely on Briefs</i> (Hoeck, Kathryn) (Entered: 02/28/2012)
02/28/2012	<u>762</u>	RESPONSE <i>To Opposition to Late Claim Motion</i> filed by Wells Fargo Bank, N.A.. (Wirth, Steven) (Entered: 02/28/2012)
02/28/2012	<u>763</u>	Unopposed MOTION to allow electronic equipment, specifically laptop computer <i>for the hearing scheduled on March 2, 2012 at 9:00 a.m.</i> by Burton W. Wiand. (Morello, Gianluca) (Entered: 02/28/2012)
02/29/2012	<u>764</u>	ORDER granting <u>763</u> Motion to allow laptop computer. Signed by Judge Richard A. Lazzara on 2/29/2012. (SKH) (Entered: 02/29/2012)
02/29/2012	<u>765</u>	MOTION to continue <i>Hearing Scheduled for March 2, 2012 on Pending Motions</i> by Wells Fargo Bank, N.A.. (Shaheen, Louis) (Entered: 02/29/2012)
02/29/2012	<u>766</u>	MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel by Wells Fargo Bank, N.A.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Shaheen, Louis) (Entered: 02/29/2012)
03/01/2012	<u>767</u>	RESPONSE in opposition re <u>765</u> MOTION to continue <i>Hearing Scheduled for March 2, 2012 on</i>

			<i>Pending Motions</i> filed by Burton W. Wiand. (Smiljanich, Terry) (Entered: 03/01/2012)
03/01/2012	<u>768</u>		NOTICE by Burton W. Wiand re <u>757</u> Response <i>Notice of Filing</i> (Attachments: # <u>1</u> Governments Application for an Order Vacating the Preliminary Order of Forfeiture)(Cohen, Jonathan) (Entered: 03/01/2012)
03/01/2012	<u>769</u>		NOTICE by Securities and Exchange Commission (Attachments: # <u>1</u> Motion to Vacate, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C)(Cream, Anita) (Entered: 03/01/2012)
03/01/2012	770		ENDORSED ORDER: The Court will hear oral argument on Wells Fargo's Motion to Continue on Friday, March 2, 2012, at 9:00 a.m. Signed by Judge Richard A. Lazzara on 3/1/2012. (CCB) (Entered: 03/01/2012)
03/01/2012	<u>771</u>		NOTICE by Wells Fargo Bank, N.A. re <u>766</u> MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel ( <i>Of Filing Replacement Exhibit E</i> ) (Attachments: # <u>1</u> Exhibit E)(Shaheen, Louis) (Entered: 03/01/2012)
03/01/2012	<u>772</u>		RESPONSE in opposition re <u>765</u> MOTION to continue <i>Hearing Scheduled for March 2, 2012 on Pending Motions</i> filed by Securities and Exchange Commission. (Masel, Scott) (Entered: 03/01/2012)
03/01/2012	<u>773</u>		RESPONSE re <u>733</u> Order filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Cream, Anita) (Entered: 03/01/2012)
03/02/2012	<u>774</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Motion Hearing held on 3/2/2012. Court Reporter: Sherrill L. Jackson (MSS) (Entered: 03/02/2012)
03/02/2012	<u>775</u>		ORDER ATTACHED granting in part <u>739</u> Motion to Appoint Appraisers and directing filings on 3/9/2012, and denying <u>765</u> Motion to Continue Hearing. Responses to <u>766</u> Motion to Disqualify due on or before 3/9/2012. Signed by Judge Richard A. Lazzara on 3/2/2012. (CCB) (Entered: 03/02/2012)
03/02/2012	<u>776</u>		ORDER ATTACHED granting <u>675</u> Motion to Approve Determination and Priority of Claims, etc., as provided in the attached order. Ruling reserved

			on [719 &740] Motion for Relief from Injunction and Motion regarding filing Proofs of Claim. Signed by Judge Richard A. Lazzara on 3/2/2012. (CCB) (Entered: 03/02/2012)
03/02/2012	<u>777</u>		NOTICE by Securities and Exchange Commission of <i>Withdrawal of Government Counsel</i> (Cream, Anita) (Entered: 03/02/2012)
03/07/2012	<u>778</u>		Unopposed MOTION for extension of time to file response/reply as to <u>766</u> MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel by <i>Wiand Guerra King P.L., The Securities and Exchange Commission, and by</i> Burton W. Wiand. (Morello, Gianluca) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 03/07/2012)
03/07/2012	779		ENDORSED ORDER granting <u>778</u> Motion for extension of time to file response to Motion to Disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel. Deadline extended to 3/14/2012. Signed by Judge Richard A. Lazzara on 3/7/2012. (SKH) (Entered: 03/07/2012)
03/07/2012	<u>780</u>		Unopposed MOTION for miscellaneous relief, specifically to Approve Public Sale of Unencumbered Real Property Located in Raleigh, Wake County, North Carolina by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Notice of Sale, # <u>3</u> Exhibit 3 – Engagement Letter)(Morello, Gianluca) (Entered: 03/07/2012)
03/08/2012	<u>781</u>		NOTICE by Burton W. Wiand re <u>775</u> Order on Motion for Miscellaneous Relief Order on motion to continue <i>The Receivers Notice Of Selection Of Appraiser Pursuant To Court Order Dated March 2, 2012</i> (Smiljanich, Terry) (Entered: 03/08/2012)
03/08/2012	<u>782</u>		ORDER granting <u>780</u> Motion to Approve Public Sale of Unencumbered Real Property Located in Raleigh, Wake County, North Carolina. Signed by Judge Richard A. Lazzara on 3/8/2012. (SKH) (Entered: 03/08/2012)
03/08/2012	<u>783</u>		NOTICE by Wells Fargo Bank, N.A. of <i>Submission of Appraiser</i> (Wirth, Steven) (Entered: 03/08/2012)
03/09/2012	<u>784</u>		

			ORDER appointing additional appraisers for property located at 841 South Main Street, Graham, North Carolina. Signed by Judge Richard A. Lazzara on 3/9/2012. (SKH) (Entered: 03/09/2012)
03/09/2012	<u>785</u>		NOTICE by Burton W. Wiand <i>that Receiver has Provided Notice of Approval of Receiver's Claims Determination Motion</i> (Morello, Gianluca) (Entered: 03/09/2012)
03/14/2012	<u>786</u>		RESPONSE in opposition re <u>766</u> MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A Hearing Transcript March 2, 2012)(Cohen, Jonathan) (Entered: 03/14/2012)
03/14/2012	<u>787</u>		DECLARATION of Burton W. Wiand re <u>786</u> Response in opposition to motion by Burton W. Wiand. (Cohen, Jonathan) (Entered: 03/14/2012)
03/14/2012	<u>788</u>		MEMORANDUM in opposition re <u>766</u> Motion to disqualify filed by Wiand Guerra King P.L.. (McNamara, Patrick) (Entered: 03/14/2012)
03/14/2012	<u>789</u>		DECLARATION of George L. Guerra re <u>788</u> Memorandum in opposition by Wiand Guerra King P.L.. (McNamara, Patrick) (Entered: 03/14/2012)
03/15/2012	<u>790</u>		MEMORANDUM in opposition re <u>766</u> Motion to disqualify <i>Receiver and Wiand Guerra King</i> filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Masel, Scott) (Entered: 03/15/2012)
03/15/2012	<u>791</u>		Unopposed MOTION for extension of time to file response/reply as to <u>790</u> Memorandum in opposition to <i>Wells Fargo's Motion to Disqualify Receiver, Disqualify Wiand Guerra King, and Disallow All Fees for Receiver and His Counsel</i> by Securities and Exchange Commission. (Masel, Scott) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 03/15/2012)
03/15/2012	<u>792</u>		RESPONSE in opposition re <u>766</u> MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel ( <i>Corrected</i>

			<i>Version</i> ) filed by Securities and Exchange Commission. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Masel, Scott) (Entered: 03/15/2012)
03/15/2012	793		ENDORSED ORDER granting <u>791</u> Motion for extension of time to file response. Signed by Judge Richard A. Lazzara on 3/15/2012. (SKH) (Entered: 03/15/2012)
03/15/2012	<u>794</u>		MOTION for leave to file (To File Reply To Opposition of Receiver, Wiand Guerra King, P.L. and The Securities and Exchange Commission to Motion of Wells Fargo Bank, N.A. (I) To Disqualify Receiver, (II) To Disqualify Wiand Guerra King, P.L. and (III) To Disallow All Fees Payable to the Receiver and His Counsel) by Wells Fargo Bank, N.A.. (Wirth, Steven) (Entered: 03/15/2012)
03/15/2012	<u>795</u>		RESPONSE in opposition to <i>Wells Fargo Motion Docket No. 794</i> filed by Burton W. Wiand. (Cohen, Jonathan) (Entered: 03/15/2012)
03/15/2012	<u>796</u>		RESPONSE in opposition to <i>Wells Fargo Bank's Motion for Leave to File Reply</i> filed by Securities and Exchange Commission. (Masel, Scott) (Entered: 03/15/2012)
03/15/2012	<u>797</u>		RESPONSE in opposition ( <i>AMENDED</i> ) to <i>Wells Fargo Motion Docket No. 794</i> filed by Burton W. Wiand, Wiand Guerra King P.L.. (Cohen, Jonathan) (Entered: 03/15/2012)
03/15/2012	<u>798</u>		NOTICE to the Courts to take judicial notice regarding <i>actual docketed court filings characterized in the Receiver's Response in Opposition to Wells Fargo's Motion for Leave to Reply</i> by Wells Fargo Bank, N.A.. (Attachments: # <u>1</u> Composite Exhibit A)(Wirth, Steven) (Entered: 03/15/2012)
03/16/2012	799		ENDORSED ORDER denying <u>794</u> Motion for leave to file Reply to Opposition of Receiver. Signed by Judge Richard A. Lazzara on 3/16/2012. (SKH) (Entered: 03/16/2012)
03/16/2012	<u>800</u>		RESPONSE re <u>798</u> Notice to the Courts to take judicial notice filed by Burton W. Wiand. (Cohen, Jonathan) (Entered: 03/16/2012)
03/20/2012	<u>801</u>		TRANSCRIPT of Motion Hearing held on 3/2/12 before Judge Richard A. Lazzara. Court Reporter Sherrill L. Jackson, FPR, RPR, Telephone number 813/301-5041. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of

			Transcript Restriction. After that date it may be obtained through PACER or purchased through the Court Reporter. Redaction Request due 4/10/2012, Redacted Transcript Deadline set for 4/20/2012, Release of Transcript Restriction set for 6/18/2012. (SJ) (Entered: 03/20/2012)
03/20/2012	802		NOTICE to counsel of filing of OFFICIAL TRANSCRIPT. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy from the court reporter or view the document at the clerk's office public terminal. Court Reporter: Sherrill L. Jackson (SJ) (Entered: 03/20/2012)
03/29/2012	<u>803</u>		Unopposed MOTION to Approve Settlement regarding <i>Shoreline Trading Group, LLC</i> (" <i>Shoreline</i> ") by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement, # <u>2</u> Exhibit B – CFTC v. Equity Fin. Grp., Rec's Memo of Law, # <u>3</u> Exhibit C – Proposed Order)(Morello, Gianluca) (Entered: 03/29/2012)
03/29/2012	<u>804</u>		DECLARATION of Burton W. Wiand re <u>803</u> Unopposed MOTION to Approve Settlement regarding <i>Shoreline Trading Group, LLC</i> (" <i>Shoreline</i> ")Unopposed MOTION to Approve Settlement regarding <i>Shoreline Trading Group, LLC</i> (" <i>Shoreline</i> ") by Burton W. Wiand. (Morello, Gianluca) (Entered: 03/29/2012)
03/29/2012	<u>805</u>		Unopposed MOTION for miscellaneous relief, specifically to approve proposed notice of settlement relating to Docket 803 by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Notice)(Morello, Gianluca) (Entered: 03/29/2012)
03/30/2012	<u>806</u>		ORDER ATTACHED granting <u>805</u> Motion to Approve Proposed Notice of Settlement. Signed by Judge Richard A. Lazzara on 3/30/2012. (CCB) (Entered: 03/30/2012)
03/30/2012	<u>807</u>		Unopposed MOTION to Approve Settlement re: <i>YMCA Foundation of Sarasota, Inc.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Morello, Gianluca) (Entered: 03/30/2012)
04/02/2012	<u>808</u>		ORDER ATTACHED granting <u>807</u> Receiver's Motion to Approve Settlement with the YMCA

			Foundation of Sarasota, Inc. Signed by Judge Richard A. Lazzara on 4/2/2012. (CCB) (Entered: 04/02/2012)
04/03/2012	<u>809</u>		NOTICE by Burton W. Wiand re <u>806</u> Order on Motion for Miscellaneous Relief – <i>Notice of Receiver's Mailing of Court–Approved Notice of Settlement With Shoreline Trading Group, LLC</i> (Morello, Gianluca) (Entered: 04/03/2012)
04/04/2012	<u>810</u>		MOTION for miscellaneous relief, specifically Unopposed Verified Motion for Approval of Sale of Real Property Located in Tazewell, TN by Burton W. Wiand. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Summary Appraisal Report, # <u>3</u> Exhibit Search Results, # <u>4</u> Exhibit Purchase Agreement, # <u>5</u> Exhibit Composite Exhibit, # <u>6</u> Exhibit Notice of Sale)(Morello, Gianluca) (Entered: 04/04/2012)
04/05/2012	<u>811</u>		ORDER granting <u>810</u> Motion for Approval of Sale of Real Property. Signed by Judge Richard A. Lazzara on 4/5/2012. (SKH) (Entered: 04/05/2012)
04/10/2012	<u>812</u>		NOTICE by Burton W. Wiand <i>Notice Of Filing Appraisals Of Receivership Real Property Located In Graham, Alamance County, North Carolina</i> (Attachments: # <u>1</u> Exhibit A – Jeffrey Skeahan Rite Aid Appraisal, # <u>2</u> Exhibit B – Roscoe Shiplett Rite Aid Appraisal)(Cohen, Jonathan) (Entered: 04/10/2012)
04/10/2012	<u>813</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval of Agreement Regarding Repayment of Debt, Termination of Rights and Repurchase of Securities Relating to Bonds.com by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order, # <u>2</u> Exhibit B)(Morello, Gianluca) (Entered: 04/10/2012)
04/10/2012	<u>814</u>		DECLARATION of Burton W. Wiand, as Receiver re <u>813</u> Unopposed MOTION for miscellaneous relief, specifically for Approval of Agreement Regarding Repayment of Debt, Termination of Rights and Repurchase of Securities Relating to Bonds.com by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Morello, Gianluca) (Entered: 04/10/2012)
04/11/2012	<u>815</u>		NOTICE by Burton W. Wiand <i>of Publication of Receiver's Court–Approved Notice of Settlement with Shoreline Trading Group, LLC</i> (Morello, Gianluca) (Entered: 04/11/2012)
04/13/2012	<u>816</u>		

			ORDER granting <u>813</u> Receiver's Unopposed Verified Motion for Approval of Agreement Regarding Repayment of Debt, Termination of Rights, and Repurchase of Securities Relating to Bond.com. Signed by Judge Richard A. Lazzara on 4/13/2012. (SKH) (Entered: 04/13/2012)
04/16/2012	<u>817</u>		Verified MOTION for miscellaneous relief, specifically for an order approving the sale of Property To Tri-Arc by Burton W. Wiand. (Attachments: # <u>1</u> Text of Proposed Order Exhibit 1, # <u>2</u> Exhibit 2)(Morello, Gianluca) (Entered: 04/16/2012)
04/17/2012	<u>818</u>		RESPONSE in opposition re <u>766</u> MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel MOTION to disqualify (I) Receiver, (II) Disqualify Wiand Guerra King, P.L. and (III) Disallow All Fees Payable to the Receiver and His Counsel <i>The Receivers Corrected Response In Opposition to Motion To Disqualify Receiver</i> filed by Burton W. Wiand. (Cohen, Jonathan) (Entered: 04/17/2012)
04/17/2012	<u>819</u>		ORDER granting <u>817</u> Motion for Order Approving Sale of Property located in Raleigh, Wake County, North Carolina, to Tri-Arc Food Systems, Inc. Signed by Judge Richard A. Lazzara on 4/17/2012. (SKH) (Entered: 04/17/2012)
04/19/2012	<u>820</u>		SUGGESTION of Death of Defendant Arthur Nadel by Securities and Exchange Commission. (Masel, Scott) (Entered: 04/19/2012)
04/19/2012	<u>821</u>		NOTICE by William Gordon and Brian Gordon on SEC Receivership Action (Attachments: # <u>1</u> Mailing Envelope)(SAH) (Entered: 04/20/2012)
04/25/2012	<u>822</u>		ORDER ATTACHED denying <u>766</u> Motion to Disqualify in all respects. Signed by Judge Richard A. Lazzara on 4/25/2012. (CCB) (Entered: 04/25/2012)
04/26/2012	<u>823</u>		MOTION for miscellaneous relief, specifically To Approve The Sale Of Real Property <i>Receivers Verified Renewed Motion To Approve The Sale Of Real Property Located In Graham, Alamance County, North Carolina</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 Proposed Order, # <u>2</u> Exhibit 2 Agreement of Sale and Purchase, # <u>3</u> Exhibit 3 CBRE Appraisal, # <u>4</u> Exhibit 4 Grubb & Ellis Appraisal, # <u>5</u> Exhibit 5 Fortenberry Appraisal, # <u>6</u> Exhibit 6 Publication – Notice of

			Sale, # <u>7</u> Exhibit 7 SEC v Mutual Benefits, # <u>8</u> Exhibit 8 Email July 22, 2009)(Cohen, Jonathan) (Entered: 04/26/2012)
04/27/2012	824		ENDORSED ORDER directing expedited response by Wells Fargo Bank, N.A. to respond to <u>823</u> Receiver's Verified Renewed Motion To Approve The Sale Of Real Property Located In Graham, Alamance County, North Carolina. Response due on or before 5/2/2012. Signed by Judge Richard A. Lazzara on 4/27/2012. (CCB) (Entered: 04/27/2012)
04/27/2012	<u>825</u>		Unopposed MOTION for miscellaneous relief, specifically to (1) Approve First Interim Distribution, (2) Establish Reserves, and (3) Approve Revisions to Certain Claim Determinations by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Distribution Schedule, # <u>2</u> Exhibit B – Reserves, # <u>3</u> Exhibit C – Revisions to Certain Claim Determinations, # <u>4</u> Exhibit D – Proposed Order)(Morello, Gianluca) (Entered: 04/27/2012)
04/27/2012	826		ENDORSED ORDER directing expedited response by Wells Fargo Bank, N.A. to <u>825</u> Unopposed Motion to (1) Approve First Interim Distribution, (2) Establish Reserves, and (3) Approve Revisions to Certain Claim Determinations. Response due on or before 5/2/2012. Signed by Judge Richard A. Lazzara on 4/27/2012. (CCB) (Entered: 04/27/2012)
04/30/2012	<u>827</u>		NOTICE by General Electric Capital Corporation, VFS Financing, Inc. <i>Notice of Request to be Removed from Mailing Matrix</i> (Kasten, Arthur) (Entered: 04/30/2012)
04/30/2012	<u>828</u>		NOTICE by Burton W. Wiand of (1) <i>Publication of Receiver's Court-Approved Notice of Sale</i> and (2) <i>That No Additional Offer to Purchase Real Property Located in Tazewell, TN Has Been Received</i> (Morello, Gianluca) (Entered: 04/30/2012)
05/01/2012	<u>829</u>		MOTION to Approve Settlement <i>re: John V. Cloud and Catherine S. Cloud, as Co-Trustees of the Mary Anne Cloud Revocable Trust dtd 03/13/1987</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/01/2012)
05/01/2012	<u>830</u>		ORDER ATTACHED granting <u>829</u> Receiver's Motion to Approve Settlement with John V. Cloud and Catherine S. Cloud associated with Case No. 8:10-cv-165-17MAP. Signed by Judge Richard A. Lazzara on 5/1/2012. (CCB) (Entered: 05/01/2012)
05/02/2012	<u>831</u>		

			OBJECTION re <u>825</u> Unopposed MOTION for miscellaneous relief, specifically to (1) Approve First Interim Distribution, (2) Establish Reserves, and (3) Approve Revisions to Certain Claim Determinations Unopposed MOTION for miscellaneous relief, specifically to (1) Approve First Interim Distribution, (2) Establish Reserves, and (3) Approve Revisions to Certain Claim Determinations ( <i>LIMITED OBJECTION AND MEMORANDUM OF LAW</i> ) by Wells Fargo Bank, N.A. by Wells Fargo Bank, N.A.. (Wirth, Steven) (Entered: 05/02/2012)
05/02/2012	<u>832</u>		MEMORANDUM in opposition re <u>823</u> Motion for miscellaneous relief filed by Wells Fargo Bank, N.A.. (Attachments: # <u>1</u> Exhibit A – Declaration of Carol Lomax Fortenberry, MAI, # <u>2</u> Exhibit B – Standard & Poors, Ratings for Rite Aid Corp.)(Wirth, Steven) (Entered: 05/02/2012)
05/04/2012	<u>833</u>		MOTION for leave to file Reply <i>Receivers Opposed Motion For Leave To Reply To Limited Objection Of Wells Fargo Bank, N.A. In Opposition To Receivers Unopposed Motion To (1) Approve First Interim Distribution, (2) Establish Reserves, And (3) Approve Revisions To Certain Claims Determinations</i> by Burton W. Wiand. (Cohen, Jonathan) (Entered: 05/04/2012)
05/04/2012	834		ENDORSED ORDER granting <u>833</u> Motion for Leave to File Reply to Wells Fargo Bank's Limited Objection at docket 831 on or before 5:00 p.m. today, May 4, 2012. Signed by Judge Richard A. Lazzara on 5/4/2012. (CCB) (Entered: 05/04/2012)
05/04/2012	<u>835</u>		ORDER granting <u>803</u> Motion to Approve Settlement regarding Shoreline Trading Group, LLC. Signed by Judge Richard A. Lazzara on 5/4/2012. (SKH) (Entered: 05/04/2012)
05/04/2012	<u>836</u>		RESPONSE re <u>831</u> Objection <i>Receivers Reply To Limited Objection Of Wells Fargo Bank, N.A. In Opposition To Receivers Unopposed Motion To (1) Approve First Interim Distribution, (2) Establish Reserves, And (3) Approve Revisions To Certain Claims Determinations</i> filed by Burton W. Wiand. (Cohen, Jonathan) (Entered: 05/04/2012)
05/04/2012	<u>837</u>		NOTICE by Burton W. Wiand <i>of Filing April 24, 2012, Order Entered in United States v. A. Nadel, Case No. 09-cr-433 (JGK) (S.D.N.Y.)</i> (Attachments: # <u>1</u> Exhibit A – Order)(Morello, Gianluca) (Entered: 05/04/2012)

05/07/2012	<u>838</u>		ORDER ATTACHED regarding approval of first interim distribution referenced at docket 825. Signed by Judge Richard A. Lazzara on 5/7/2012. (CCB) (Entered: 05/07/2012)
05/07/2012	<u>839</u>		ORDER granting <u>825</u> Unopposed Motion to approve first interim distribution, establish reserved and approve revision to certain claim determinations. Signed by Judge Richard A. Lazzara on 5/7/2012. (see order) (MSS) (Entered: 05/07/2012)
05/07/2012			Mail returned as Undeliverable re: <u>819</u> Order on Motion for Miscellaneous Relief. Mail not resent to Arthur Nadel, <u>820</u> suggestion of death. (SAH) (Entered: 05/09/2012)
05/07/2012			Mail returned as Undeliverable re: <u>822</u> Order on motion to disqualify. Mail not resent to Arthur Nadel, <u>820</u> suggestion of death. (SAH) (Entered: 05/09/2012)
05/08/2012	<u>840</u>		ORDER ATTACHED regarding the sale of the Graham, North Carolina (Rite-Aid) property referenced at docket 823. Signed by Judge Richard A. Lazzara on 5/8/2012. (CCB) (Entered: 05/08/2012)
05/08/2012	841		ENDORSED ORDER denying as moot <u>719</u> Motion to Compel. Signed by Judge Richard A. Lazzara on 5/8/2012. (CCB) (Entered: 05/08/2012)
05/08/2012	<u>842</u>		ORDER granting <u>823</u> Receiver's Verified Motion to Approve the Sale of Real Property Located in Graham, Alamance County, North Carolina. Signed by Judge Richard A. Lazzara on 5/8/2012. (SKH) (Entered: 05/08/2012)
05/11/2012	<u>843</u>		NOTICE by Burton W. Wiand re <u>840</u> Order, <u>842</u> Order on Motion for Miscellaneous Relief <i>Notice Of Factual Development Regarding Sale Of Real Property Located In Graham, Alamance County, North Carolina</i> (Attachments: # <u>1</u> Exhibit 1)(Cohen, Jonathan) (Entered: 05/11/2012)
05/14/2012	844		NOTICE of Hearing on Motion for Leave to File Late Claims (Dkt. 740) set for 6/1/2012 at 09:30 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 05/14/2012)
05/14/2012	<u>845</u>		Unopposed MOTION for referral to mediation <i>Receiver's Unopposed Motion For Order Directing Mediation</i> by Burton W. Wiand. (Attachments: # <u>1</u> Text of Proposed Order)(Cohen, Jonathan) (Entered: 05/14/2012)

05/14/2012	<u>846</u>		Amended MOTION for referral to mediation <i>Receiver's Corrected And Unopposed Motion For Order Directing Mediation</i> by Burton W. Wiand. (Attachments: # <u>1</u> Text of Proposed Order)(Cohen, Jonathan) (Entered: 05/14/2012)
05/14/2012	<u>847</u>		ORDER granting <u>846</u> Amended Motion for referral to mediation. The Receiver and Wells Fargo are directed to select and agreed-upon mediator, date, time and location to occur within 45 days. Parties are to appear at the mediation personally by counsel and corporate officers. The receiver is directed to notify the Court of the selected mediator, date, time and location of the medication. Signed by Judge Richard A. Lazzara on 5/14/2012. (see order) (MSS) (Entered: 05/14/2012)
05/14/2012	848		ENDORSED ORDER: The motion for referral of mediation at docket <u>845</u> is denied as moot. In view of the Court's order referring the parties to mediation, the hearing scheduled for Friday June 1, 2012, at 9:30 a.m. is cancelled. Signed by Judge Richard A. Lazzara on 5/14/2012. (CCB) (Entered: 05/14/2012)
05/14/2012	849		NOTICE canceling hearing scheduled for June 1, 2012. (CCB) (Entered: 05/14/2012)
05/14/2012	<u>850</u>		NOTICE by Burton W. Wiand re <u>843</u> Notice (Other)Notice (Other) <i>Notice Of Additional Factual Development Regarding Sale Of Real Property Located In Graham, Alamance County, North Carolina</i> (Cohen, Jonathan) (Entered: 05/14/2012)
05/14/2012	851		ENDORSED ORDER: In view of the two Notices filed by the Receiver at dockets 843 and 850 with regard to the sale of the "Rite Aid Property," counsel for the Receiver and counsel for Wells Fargo are directed to appear before the Court for an expedited status conference on Tuesday, May 15, 2012, at 9:00 a.m. Signed by Judge Richard A. Lazzara on 5/14/2012. (CCB) (Entered: 05/14/2012)
05/14/2012	852		NOTICE of Hearing: Status Conference set for 5/15/2012 at 09:00 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 05/14/2012)
05/14/2012	<u>853</u>		Emergency MOTION for reconsideration re <u>840</u> Order, <u>842</u> Order on Motion for Miscellaneous Relief ( <i>Limited Emergency Motion</i> ) by Wells Fargo Bank, N.A.. (Attachments: # <u>1</u> Exhibit A)(Wirth, Steven) (Entered: 05/14/2012)
05/14/2012			

			Mail returned as Undeliverable (Defendant deceased) re: 824 OrderOrder directing response to motion. Mail NO LONGER TO BE RESENT to Arthur Nadel. (BSN) (Entered: 05/15/2012)
05/15/2012	<u>854</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Status Conference held on 5/15/2012. Court Reporter: Sandra K. Provenzano (MSS) (Entered: 05/15/2012)
05/15/2012	<u>855</u>		ORDER ATTACHED denying <u>853</u> Emergency Motion for Reconsideration. Signed by Judge Richard A. Lazzara on 5/15/2012. (CCB) (Entered: 05/15/2012)
05/15/2012	<u>856</u>		NOTICE by LandMark Bank of Florida of Attorney Hoeck's Request to be Removed from Mailing Matrix (Hoeck, Kathryn) (Entered: 05/15/2012)
05/15/2012	<u>857</u>		Supplemental MOTION for miscellaneous relief, specifically Unopposed Motion to Approve First Interim Distribution and Approve Revisions to Certain Claim Determinations by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Revised Distribution Schedule, # <u>2</u> Exhibit B – Proposed Order)(Morello, Gianluca) (Entered: 05/15/2012)
05/17/2012	<u>858</u>		ORDER granting <u>857</u> Motion to approve first interim distribution and approval revisions to certain claim determinations. Signed by Judge Richard A. Lazzara on 5/17/2012. (see order) (MSS) (Entered: 05/17/2012)
05/18/2012	<u>859</u>		Unopposed MOTION for attorney fees <i>Receiver's Eleventh Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1–Standardized Fund Accounting Report, # <u>2</u> Exhibit 2–Receiver's Tenth Interim Report, # <u>3</u> Exhibit 3–Scoop Receivership–Representation of Scoop Receivership, # <u>4</u> Exhibit 4–Scoop Receivership–Recovery from Investors, # <u>5</u> Exhibit 5Scoop Receivership–Recovery of Assets from N. and C. Moody, # <u>6</u> Exhibit 6–Scoop Receivership–Recovery of Commissions, # <u>7</u> Exhibit 7–Categorization and Summary of All Costs Incurred by WGK, # <u>8</u> Exhibit 8–Attorney Fee Schedule, # <u>9</u> Exhibit 9–Scoop Legal Team–Scoop Capital, LLC Receivership, # <u>10</u> Exhibit 10–Fowler White Boggs, # <u>11</u> Exhibit 11–Scoop Legal Team–Recovery from Investors, # <u>12</u> Exhibit 12–Scoop Legal Team–Recovery of Assets from N. and C. Moody, # <u>13</u> Exhibit 13–Scoop Legal

			Team–Recovery of Commissions, # <u>14</u> Exhibit 14–Scoop Legal Team–Holland & Knight, # <u>15</u> Exhibit 15–PDR Certified Public Accountants, # <u>16</u> Exhibit 16–Riverside Financial Group, # <u>17</u> Exhibit 17–The RWJ Group, LLC, # <u>18</u> Exhibit 18–Orrick, # <u>19</u> Exhibit 19–Proposed Order)(Morello, Gianluca) (Entered: 05/18/2012)
05/22/2012	<u>861</u>		MOTION for miscellaneous relief, specifically non–party for relief from freeze on assets by Marguerite J. Nadel. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit, # <u>3</u> Mailing Envelope)(SAH) (Entered: 05/24/2012)
05/22/2012			Mail returned as Undeliverable re: <u>840</u> Order, <u>806</u> Order on Motion for Miscellaneous Relief. Mail NO LONGER TO BE RESENT to Arthur Nadel. (SAH) (Entered: 05/24/2012)
05/24/2012	<u>860</u>		ORDER granting <u>859</u> Unopposed Receiver's Eleventh Interim Motion for awarding fees, costs and reimbursement of costs to receiver and his professionals. Signed by Judge Richard A. Lazzara on 5/24/2012. (see order) (MSS) (Entered: 05/24/2012)
05/24/2012	<u>862</u>		ORDER ATTACHED denying without prejudice for failure to comply with Local Rule 3.01(g) <u>861</u> Motion for Relief from Freeze on Assets. The movant and Receiver are directed to confer within 7 days. Signed by Judge Richard A. Lazzara on 5/24/2012. (CCB) (Entered: 05/24/2012)
05/31/2012	<u>863</u>		STATUS REPORT <i>Receiver's Eleventh Interim Report (12/1/11 – 3/31/12)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Receivership Assets Sold or Otherwise Disposed, # <u>3</u> Exhibit C – Chris Moody's Assets)(Morello, Gianluca) (Entered: 05/31/2012)
05/31/2012	<u>864</u>		MOTION to Approve Settlement <i>re: Benjamin Linstead</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/31/2012)
06/01/2012	<u>865</u>		ORDER ATTACHED granting <u>864</u> Receiver's Motion to Approve Settlement with Benjamin Linstead. Signed by Judge Richard A. Lazzara on 6/1/2012. (CCB) (Entered: 06/01/2012)
06/01/2012	<u>866</u>		ORDER ATTACHED directing parties to file notice of mediation within 7 days in accord with the attached order. Signed by Judge Richard A. Lazzara

			on 6/1/2012. (CCB) (Entered: 06/01/2012)
06/05/2012	<u>867</u>		NOTICE of mediation conference/hearing to be held on July 19 and 20, 2012 at 9:30 A.M. before Howard A. Tescher. (Cohen, Jonathan) (Entered: 06/05/2012)
06/05/2012	<u>868</u>		Unopposed MOTION to extend time to complete mediation by Burton W. Wiand. (Attachments: # <u>1</u> Text of Proposed Order)(Cohen, Jonathan) (Entered: 06/05/2012)
06/05/2012	<u>869</u>		ORDER granting <u>868</u> Motion to extend time to complete mediation. Signed by Judge Richard A. Lazzara on 6/5/2012. (SKH) (Entered: 06/05/2012)
06/06/2012	<u>870</u>		ORDER appointing Howard A. Tescher as mediator in this action. Mediation Conference scheduled for July 19–20, 2012 at 9:30 a.m. each day. Said mediation shall not be cancelled/continued without leave of Court. Signed by Judge Richard A. Lazzara on 6/6/2012. (SKH) (Entered: 06/06/2012)
06/21/2012	<u>871</u>		MOTION for miscellaneous relief, specifically of non–party Marguerite J. Nadel for relief from freeze on assets (oral hearing requested). (Attachments: # <u>1</u> Mailing Envelope)(LD) (Entered: 06/21/2012)
06/22/2012	<u>872</u>		ORDER directing response and scheduling hearing on Marguerite Nadel's Motion for Relief from Freeze on Assets. The receiver shall file a response on or before 7/3/2012. Hearing scheduled 7/6/2012 at 11:30 a.m., before the undersigned, in Courtroom 15B. Signed by Judge Richard A. Lazzara on 6/22/2012. (SKH) (Entered: 06/22/2012)
06/22/2012	873		NOTICE of Hearing on Motion <u>871</u> for miscellaneous relief, specifically of non–party Marguerite J. Nadel, for relief from freeze on assets: Motion Hearing set for 7/6/2012 at 11:30 a.m. in Courtroom 15B before Judge Richard A. Lazzara. (SKH) (Entered: 06/22/2012)
06/25/2012	<u>874</u>		TRANSCRIPT of Motion Hearing held on 05/15/12 before Judge Richard A. Lazzara. Court Reporter/Transcriber Sandra K. Provenzano, Telephone number 813/301–5699. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER or purchased through the Court Reporter. Redaction Request due 7/16/2012, Redacted Transcript Deadline set for 7/26/2012, Release of Transcript Restriction set for 9/24/2012.

			(SKP) (Entered: 06/25/2012)
06/25/2012	875		NOTICE to counsel of filing of OFFICIAL TRANSCRIPT. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy from the court reporter or view the document at the clerk's office public terminal. Court Reporter: Sandra K. Provenzano (SKP) (Entered: 06/25/2012)
06/26/2012	876		NOTICE of Hearing on <u>871</u> Motion for miscellaneous relief, specifically of non-party Marguerite J. Nadel for relief from freeze on assets. (Hearing on July 6th 873 cancelled and rescheduled.) Hearing SET for Thursday, July 12, 2012 at 09:45 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. The Clerk is directed to send a copy of this notice to Marguerite Nadel.(CCB) (Entered: 06/26/2012)
06/29/2012	<u>877</u>		Unopposed MOTION for miscellaneous relief, specifically to pay filing fees for arbitration proceedings directly from funds in the Receivership Estate by Burton W. Wiand. (Morello, Gianluca) (Entered: 06/29/2012)
06/29/2012	<u>878</u>		ORDER ATTACHED granting <u>877</u> Motion for Leave to Pay Arbitration Filing Fees Directly From Receivership Estate. Signed by Judge Richard A. Lazzara on 6/29/2012. (CCB) (Entered: 06/29/2012)
07/03/2012	<u>879</u>		RESPONSE in opposition re <u>871</u> MOTION for miscellaneous relief, specifically of non-party Marguerite J. Nadel for relief from freeze on assets (oral hearing requested) <i>Verified Opposition</i> filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – G. Morello Declaration, # <u>2</u> Exhibit 2 – B. Wiand Declaration, # <u>3</u> Exhibit 3 – W. Price Declaration, # <u>4</u> Exhibit 4 – Indictment and Nadel's agreement to plead guilty)(Morello, Gianluca) (Entered: 07/03/2012)
07/05/2012	<u>880</u>		MOTION to Approve Settlement by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit Exhibit A – Settlement Agreement)(Lamont, Michael) (Entered: 07/05/2012)
07/06/2012	<u>881</u>		ORDER ATTACHED granting <u>880</u> Motion to Approve Settlement with Girls, Inc. of Sarasota

			County. Signed by Judge Richard A. Lazzara on 7/6/2012. (CCB) (Entered: 07/06/2012)
07/12/2012	<u>882</u>		MOTION to Approve Settlement by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement)(Lamont, Michael) (Entered: 07/12/2012)
07/12/2012	<u>883</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Motion Hearing held on 7/12/2012 re <u>871</u> MOTION for miscellaneous relief, specifically of non-party Marguerite J. Nadel for relief from freeze on assets (oral hearing requested). Court Reporter: Claudia Spangler-Fry (MSS) (Entered: 07/12/2012)
07/12/2012	884		ENDORSED ORDER denying <u>871</u> Motion for relief from freeze of assets. Signed by Judge Richard A. Lazzara on 7/12/2012. (MSS) (Entered: 07/12/2012)
07/12/2012	<u>885</u>		ORDER ATTACHED granting <u>882</u> Motion to Approve Settlement between the Receiver and Geofco Holdings, Inc., Michael G. Edgecombe, and Barbara Edgecombe, in the amount of and within the time period provided for in the agreement. Signed by Judge Richard A. Lazzara on 7/12/2012. (SKH) Modified on 7/12/2012 (SKH). (Entered: 07/12/2012)
07/17/2012	<u>886</u>		MOTION for clarification re 884 Order on Motion for Miscellaneous Relief by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order)(Morello, Gianluca) (Entered: 07/17/2012)
07/17/2012	<u>887</u>		ORDER ATTACHED granting <u>886</u> Motion for Clarification. Signed by Judge Richard A. Lazzara on 7/17/2012. (SKH) (Entered: 07/17/2012)
07/19/2012	<u>888</u>		MOTION to Approve Settlement re: <i>EFG Bank f/k/a EFG Private Bank SA and DEUnit Trust Associates</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 07/19/2012)
07/19/2012	<u>889</u>		ORDER ATTACHED granting <u>888</u> Motion to Approve Settlement. Signed by Judge Richard A. Lazzara on 7/19/2012. (CCB) (Entered: 07/19/2012)
07/20/2012	<u>890</u>		MEDIATION REPORT Hearing held on 07/19/2012 Hearing outcome: adjourned(Cohen, Jonathan) (Entered: 07/20/2012)
08/01/2012	<u>891</u>		Unopposed MOTION for miscellaneous relief,

			specifically to approve the sale of a Yamaha Baby Grand Piano by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order)(Morello, Gianluca) (Entered: 08/01/2012)
08/02/2012	<u>892</u>		ORDER granting <u>891</u> Unopposed Motion to approve sale of Yamaha Baby Grand Piano. Signed by Judge Richard A. Lazzara on 8/2/2012. (MSS) (Entered: 08/02/2012)
08/13/2012	<u>893</u>		NOTICE of unavailability of counsel byWells Fargo Bank, N.A. from August 21, 2012 to September 4, 2012. (Wirth, Steven) (Entered: 08/13/2012)
08/13/2012	<u>894</u>		NOTICE of unavailability of counsel byWells Fargo Bank, N.A. from August 22, 2012 to September 3, 2012. (Shaheen, Louis) (Entered: 08/13/2012)
08/23/2012	<u>895</u>		MOTION to Approve Settlement <i>re: Richard E. Russell, individually and as Trustee of the Richard E. Russell Revocable Living Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 08/23/2012)
08/23/2012	<u>896</u>		ORDER ATTACHED granting <u>895</u> Motion to Approve Settlement with Richard E. Russell, individually and as Trustee of the Richard E. Russell Revocable Living Trust, and associated with Case 8:10-cv-176-T-17MAP. Signed by Judge Richard A. Lazzara on 8/23/2012. (CCB) (Entered: 08/23/2012)
08/28/2012	<u>897</u>		Unopposed MOTION for attorney fees <i>Receiver's Twelfth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs To Receiver and His Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1–Standardized Fund Accounting Report, # <u>2</u> Exhibit 2–Receiver's Eleventh Interim Report, # <u>3</u> Exhibit 3–Scoop Receivership–Representation of Scoop Receivership, # <u>4</u> Exhibit 4–Scoop Receivership–Recovery from Investors, # <u>5</u> Exhibit 5–Scoop Receivership–Recovery of Assets from Moodys, # <u>6</u> Exhibit 6–Scoop Receivership–Holland &Knight, # <u>7</u> Exhibit 7–Categorization and Summary of WGK Costs, # <u>8</u> Exhibit 8–Attorney Fee Schedule, # <u>9</u> Exhibit 9–Scoop Legal Team – Scoop Capital LLC Receivership, # <u>10</u> Exhibit 10–Scoop Legal Team – Recovery from Investors, # <u>11</u> Exhibit 11–Scoop Legal Team – Recovery from Moodys, # <u>12</u> Exhibit 12–Scoop Legal Team – Recovery of Commissions, # <u>13</u> Exhibit 13–Scoop Legal Team – Holland

			&Knight, # <u>14</u> Exhibit 14–Litigation Involving Wells Fargo, # <u>15</u> Exhibit 15–James, Hoyer, et al., # <u>16</u> Exhibit 16–de la Parte &Gilbert, P.A., # <u>17</u> Exhibit 17–PDR Certified Public Accountants, # <u>18</u> Exhibit 18–Riverside Financial Group, # <u>19</u> Exhibit 19–E–Hounds, Inc., # <u>20</u> Exhibit 20–The RWJ Group, LLC, # <u>21</u> Exhibit 21–Yip Levi, # <u>22</u> Exhibit 22–Orrick, Herrington &Sutcliffe (Europe) LLP, # <u>23</u> Exhibit 23–Kirby Noonan Lance &Hoge LLP, # <u>24</u> Exhibit 24–Proposed Order)(Morello, Gianluca) (Entered: 08/28/2012)
08/28/2012	<u>898</u>		MOTION to Approve Settlement <i>with Holland &amp;Knight LLP and Scott R. MacLeod</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Settlement Agreement, # <u>2</u> Exhibit B – Proposed Order Approving Settlement Agreement)(Morello, Gianluca) (Entered: 08/28/2012)
08/28/2012	<u>899</u>		AFFIDAVIT of Burton W. Wiand re: <u>898</u> MOTION to Approve Settlement <i>with Holland &amp;Knight LLP and Scott R. MacLeod</i> by Burton W. Wiand. (Morello, Gianluca) (Entered: 08/28/2012)
08/28/2012	<u>900</u>		MOTION for miscellaneous relief, specifically to approve proposed notice of settlement with Holland &Knight LLP and Scott R. MacLeod by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Notice of Settlement)(Morello, Gianluca) (Entered: 08/28/2012)
08/29/2012	901		ENDORSED ORDER granting <u>900</u> Motion to Approve Proposed Notice of Settlement. Signed by Judge Richard A. Lazzara on 8/29/2012. (CCB) (Entered: 08/29/2012)
08/31/2012	<u>902</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval of Agreement Regarding Sale of Securities of Endai Marketing Growth, Inc. <i>Verified</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Agreement)(Morello, Gianluca) (Entered: 08/31/2012)
08/31/2012	<u>903</u>		ORDER granting <u>902</u> Receiver's Unopposed Verified Motion for Approval of Agreement Regarding Sale of Securities of Endai Marketing Growth. Signed by Judge Richard A. Lazzara on 8/31/2012. (SKH) (Entered: 08/31/2012)
09/07/2012	<u>904</u>		MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Respiro, Inc. by Burton W. Wiand. (Morello, Gianluca) (Entered: 09/07/2012)

09/07/2012	<u>905</u>		DECLARATION of Burton W. Wiand re <u>904</u> MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Respiro, Inc. by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Morello, Gianluca) (Entered: 09/07/2012)
09/07/2012	<u>906</u>		AFFIDAVIT of Christopher D. Moody re: <u>904</u> MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Respiro, Inc. by Burton W. Wiand. (Morello, Gianluca) (Entered: 09/07/2012)
09/10/2012	<u>907</u>		ORDER ATTACHED directing response to <u>904</u> Motion to Expand the Scope of Receivership to Include Respiro, Inc., on or before 9/19/2012, with directions to the Clerk and to Counsel for the Receiver. Signed by Judge Richard A. Lazzara on 9/10/2012. (CCB) (Entered: 09/10/2012)
09/10/2012	908		NOTICE of Hearing on <u>904</u> Motion to Expand the Scope of Receivership to Include Respiro, Inc., set for 9/21/2012 at 9:00 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 09/10/2012)
09/11/2012	<u>909</u>		Unopposed MOTION for miscellaneous relief, specifically to Expand Receivership to Include Summer Place Development Corporation by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order)(Morello, Gianluca) (Entered: 09/11/2012)
09/11/2012	<u>910</u>		DECLARATION of Burton W. Wiand re <u>909</u> Unopposed MOTION for miscellaneous relief, specifically to Expand Receivership to Include Summer Place Development Corporation by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Morello, Gianluca) (Entered: 09/11/2012)
09/12/2012	<u>911</u>		ORDER granting <u>909</u> Motion to Expand Receivership to include Summer Place Development Corporation. Signed by Judge Richard A. Lazzara on 9/12/2012. (SKH) (Entered: 09/12/2012)
09/12/2012	<u>912</u>		PROOF OF PUBLICATION filed by Burton W. Wiand. Newspaper: The Wall Street Journal and the Sarasota Herald Tribune Date(s) of publication August 31, 2012 and September 4, 2012 re settlement with Holland & Knight LLP and Scott R. MacLeod. (Attachments: # <u>1</u> Exhibit A – Declaration of Guy M. Burns, Esq. with Proof of Publications)(Morello, Gianluca) (Entered: 09/12/2012)

			09/12/2012)
09/12/2012	<u>913</u>		NOTICE of compliance re <u>907</u> Order directing response to motion by Burton W. Wiand (Morello, Gianluca) (Entered: 09/12/2012)
09/13/2012	<u>914</u>		ORDER granting <u>897</u> Unopposed receiver's twelfth interim Motion for attorney fees. Signed by Judge Richard A. Lazzara on 9/13/2012. (see order) (MSS) (Entered: 09/13/2012)
09/21/2012	<u>915</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Motion Hearing held on 9/21/2012 re <u>904</u> MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Respiro, Inc. filed by Burton W. Wiand. Court Reporter: Claudia Spangler-Fry (MSS) (Entered: 09/21/2012)
09/21/2012	<u>916</u>		ORDER granting <u>904</u> Motion to expand the scope of receivership to include Respiro, Inc. Signed by Judge Richard A. Lazzara on 9/21/2012. (see order) (MSS) (Entered: 09/21/2012)
09/27/2012	<u>917</u>		MOTION to Approve Settlement <i>re: Sarasota Opera Association, Inc.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 09/27/2012)
09/27/2012	<u>918</u>		ORDER ATTACHED granting <u>917</u> Receiver's Motion to Approve Settlement with Sarasota Opera Association, Inc., in connection with 8:10-cv-248-T-17MAP. Signed by Judge Richard A. Lazzara on 9/27/2012. (CCB) (Entered: 09/27/2012)
10/01/2012	<u>919</u>		OBJECTION re <u>898</u> MOTION to Approve Settlement <i>with Holland &amp; Knight LLP and Scott R. MacLeod.</i> (Thanasides, Paul) (Entered: 10/01/2012)
10/02/2012	<u>920</u>		MOTION to Approve Settlement <i>re: Catholic Charities, Diocese of Venice, Inc. and Bishop Frank J. Dewane, as Corporation Sole of the Diocese of Venice in Florida and Diocese of Venice in Florida, an unincorporated religious organization</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 10/02/2012)
10/02/2012	<u>921</u>		ORDER re Receiver's motion to approve settlement with the law firm of Holland & Knight LLP. The Court is of the opinion that the analysis and rationale of the Court's order approving the settlement with Goldman Sachs should apply to the

			resolution of the pending motion to approve the settlement with HKand MacLeod. Therefore, based on that analysis and rationale, the objection to the Receiver's motion is overruled, and the Court will grant the motion by entering, by separate docket entry, the order proposed by the Receiver. Signed by Judge Richard A. Lazzara on 10/2/2012. (SKH) (Entered: 10/02/2012)
10/02/2012	<u>922</u>		ORDER granting <u>898</u> Receiver's Motion to Approve Settlement Agreement between the Receiver and Holland & Knight LLP and Scott R. MacLeod. Signed by Judge Richard A. Lazzara on 10/2/2012. (SKH) (Entered: 10/02/2012)
10/02/2012	<u>923</u>		ORDER ATTACHED granting <u>920</u> Motion to Approve Settlement with Catholic Charities, Diocese of Venice, Inc., et al., associated with Case nos. 8:10-cv-247-T-17MAP and 8:10-cv-246-T-17MAP. Signed by Judge Richard A. Lazzara on 10/2/2012. (CCB) (Entered: 10/02/2012)
10/04/2012	<u>924</u>		JUDGMENT granting Receiver's Motion to Approve Settlement (Doc. <u>898</u> ) between Receiver and Holland & Knight LLP and Scott R. MacLeod. (Signed by Deputy Clerk) (CEK) (Entered: 10/04/2012)
10/08/2012	<u>925</u>		NOTICE of <i>Appearance</i> Appearance by Lorien Smith Johnson on behalf of Vernon M. Lee (Johnson, Lorien) (Entered: 10/08/2012)
10/08/2012	<u>926</u>		NOTICE of <i>Apperance</i> Appearance by Paul B. Thanasides on behalf of Vernon M. Lee (Thanasides, Paul) (Entered: 10/08/2012)
10/23/2012	<u>927</u>		MOTION for miscellaneous relief, specifically to intervene as a victim seeking relief from the receivership by Emelie Zack. (Attachments: # <u>1</u> Mailing Envelope)(BSN) (Entered: 10/23/2012)
10/23/2012	<u>928</u>		ORDER ATTACHED denying <u>927</u> E. Zack's Motion for relief from receivership. Signed by Judge Richard A. Lazzara on 10/23/2012. (CCB) (Entered: 10/23/2012)
10/23/2012	<u>929</u>		STATUS REPORT <i>Receiver's Twelfth Interim Report (4/1/12 – 9/30/12)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Receivership Assets, # <u>3</u> Exhibit C – Chris Moody's Assets, # <u>4</u> Exhibit D – Neil Moody's Assets)(Morello, Gianluca) (Entered: 10/23/2012)

10/25/2012	<u>930</u>		Unopposed MOTION for miscellaneous relief, specifically for leave to pay arbitrators' hourly fees directly from Receivership Estate by Burton W. Wiand. (Morello, Gianluca) (Entered: 10/25/2012)
10/25/2012	<u>931</u>		Unopposed MOTION to dismiss with Prejudice Plaintiff's Disgorgement and Civil Penalty Claims as to Defendant Nadel, Joint MOTION for miscellaneous relief, specifically for an Order Authorizing the Receiver to Deposit into the Receivership Estate Tax Refunds Made Payable to Defendant Nadel by Securities and Exchange Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Masel, Scott) (Entered: 10/25/2012)
10/26/2012	<u>932</u>		ORDER granting <u>930</u> Motion for leave to pay Arbitrators' hourly fees from Receivership Estate. Signed by Judge Richard A. Lazzara on 10/26/2012. (MSS) Modified on 10/29/2012 (CEK). (Entered: 10/26/2012)
10/26/2012	<u>933</u>		ORDER granting <u>931</u> Motion to dismiss with prejudice; granting <u>931</u> Motion authorizing the Receiver to deposit into the receivership estate tax refunds made payable to defendant Nadel. Signed by Judge Richard A. Lazzara on 10/26/2012. (MSS) Modified on 10/29/2012 (CEK). (Entered: 10/26/2012)
10/29/2012	<u>934</u>		Unopposed MOTION for miscellaneous relief, specifically Reappoint Receiver by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order)(Morello, Gianluca) (Entered: 10/29/2012)
10/29/2012	<u>935</u>		ORDER granting <u>934</u> Motion to Reappoint Receiver. Signed by Judge Richard A. Lazzara on 10/29/2012. (SKH) (Entered: 10/29/2012)
10/31/2012	<u>936</u>		MOTION for miscellaneous relief, specifically for Possession of and Title to Real Property Located in Marshfield, VT by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order, # <u>2</u> Exhibit B – Anne Nadel letter)(Morello, Gianluca) (Entered: 10/31/2012)
10/31/2012	<u>937</u>		DECLARATION of Burton W. Wiand re <u>936</u> MOTION for miscellaneous relief, specifically for Possession of and Title to Real Property Located in Marshfield, VT by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u>

			Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V, # <u>23</u> Exhibit W, # <u>24</u> Exhibit X, # <u>25</u> Exhibit Y, # <u>26</u> Exhibit Z, # <u>27</u> Exhibit AA, # <u>28</u> Exhibit BB, # <u>29</u> Exhibit CC, # <u>30</u> Exhibit DD, # <u>31</u> Exhibit EE, # <u>32</u> Exhibit FF, # <u>33</u> Exhibit GG, # <u>34</u> Exhibit HH, # <u>35</u> Exhibit II, # <u>36</u> Exhibit JJ, # <u>37</u> Exhibit KK)(Morello, Gianluca) (Entered: 10/31/2012)
11/01/2012	<u>938</u>		ORDER ATTACHED directing to Anne Nadel to respond to <u>936</u> Motion for Possession of and Title to Real Property Located in Marshfield, VT, on or before 11/13/2012. The Clerk and the Receiver are directed to send notice in accord with the attached order. Signed by Judge Richard A. Lazzara on 11/1/2012. (CCB) (Entered: 11/01/2012)
11/01/2012	939		NOTICE of Hearing on <u>936</u> Motion for Possession of and Title to Real Property Located in Marshfield, VT set for 11/15/2012 at 09:30 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 11/01/2012)
11/05/2012	<u>940</u>		NOTICE of compliance re <u>938</u> Order directing response to motion <i>Receiver's Notice of Providing Court Filings to Anne Nadel</i> by Burton W. Wiand (Morello, Gianluca) (Entered: 11/05/2012)
11/13/2012	<u>941</u>		NOTICE of Appearance by Matthew P. Farmer on behalf of Anne Nadel–Walbridge (Farmer, Matthew) (Entered: 11/13/2012)
11/13/2012	<u>942</u>		Unopposed MOTION for extension of time to file response/reply as to <u>936</u> MOTION for miscellaneous relief, specifically for Possession of and Title to Real Property Located in Marshfield, VT, Unopposed MOTION to continue <i>Hearing</i> by Anne Nadel–Walbridge. (Farmer, Matthew) (Entered: 11/13/2012)
11/13/2012	<u>943</u>		ORDER ATTACHED granting <u>942</u> Motion for Extension of Time to File Response to Motion for Possession of and Title to Real Property Located in Marshfield, VT on or before 11/28/2012 and granting <u>942</u> Motion to Continue. Signed by Judge Richard A. Lazzara on 11/13/2012. (CCB) (Entered: 11/13/2012)
11/13/2012	944		NOTICE of Hearing on <u>936</u> Motion for miscellaneous relief, specifically for Possession of and Title to Real Property Located in Marshfield, VT continued to 11/30/2012 at 10:00 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 11/13/2012)

11/14/2012	<u>945</u>		Unopposed MOTION for miscellaneous relief, specifically (1) Approve Second Interim Distribution, (2) Approve Revisions to Certain Claim Determinations, (3) Increase Certain Reserves, and (4) Release Certain Other Reserves by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Distribution Schedule, # <u>2</u> Exhibit B – Reserves, # <u>3</u> Exhibit C – Proposed Order)(Morello, Gianluca) (Entered: 11/14/2012)
11/16/2012	<u>946</u>		ORDER granting <u>945</u> Motion to approve second interim distribution, to approve revisions to certain claim determinations, to increase certain reserved and to release certain other reserves. (see order). Signed by Judge Richard A. Lazzara on 11/16/2012. (MSS) (Entered: 11/16/2012)
11/28/2012	<u>947</u>		RESPONSE in opposition re <u>936</u> MOTION for miscellaneous relief, specifically for Possession of and Title to Real Property Located in Marshfield, VT filed by Anne Nadel–Walbridge. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Farmer, Matthew) (Entered: 11/28/2012)
11/30/2012	<u>948</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: Motion Hearing held on 11/30/2012 re <u>936</u> MOTION for miscellaneous relief, specifically for Possession of and Title to Real Property Located in Marshfield, VT filed by Burton W. Wiand. Court Reporter: Claudia Spangler–Fry (MSS) (Entered: 11/30/2012)
11/30/2012	949		ENDORSED ORDER denying without prejudice <u>936</u> Motion for possession of title of real estate as stated on the record in open court. Signed by Judge Richard A. Lazzara on 11/30/2012. (MSS) (Entered: 11/30/2012)
12/05/2012	<u>950</u>		Unopposed MOTION for attorney fees <i>Receiver's Thirteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1–Standardized Fund Accounting Report, # <u>2</u> Exhibit 2–Part 1–Receiver's Twelfth Interim Report, # <u>3</u> Exhibit 2–Part 2–Receiver's Twelfth Interim Report, # <u>4</u> Exhibit 3–Scoop Receivership–Representation of Scoop Receivership, # <u>5</u> Exhibit 4–Scoop Receivership–Recovery from Investors, # <u>6</u> Exhibit 5–Scoop Receivership–Recovery of Assets from Moodys, # <u>7</u> Exhibit 6–Scoop Receivership–Recovery of Commissions, # <u>8</u> Exhibit 7–Scoop Receivership–Holland & Knight, #

			<p>9 Exhibit 8–Categorization and Summary of WGK Costs, # <u>10</u> Exhibit 9–Attorney Fee Schedule, # <u>11</u> Exhibit 10–Part 1–Scoop Legal Team–Scoop Capital, LLC, # <u>12</u> Exhibit 10–Part 2–Scoop Legal Team–Scoop Capital, LLC, # <u>13</u> Exhibit 11–Scoop Legal Team–Recovery from Investors, # <u>14</u> Exhibit 12–Scoop Legal Team–Recovery of Assets from Moodys, # <u>15</u> Exhibit 13–Scoop Legal Team–Recovery of Commissions, # <u>16</u> Exhibit 14–Scoop Legal Team–Holland &amp; Knight, # <u>17</u> Exhibit 15–Nadel Receivership–Wells Fargo, # <u>18</u> Exhibit 16–James Hoyer, # <u>19</u> Exhibit 17–Part 1–PDR Certified Public Accountants, # <u>20</u> Exhibit 17–Part 2–PDR Certified Public Accountants, # <u>21</u> Exhibit 18–Riverside Financial Group, # <u>22</u> Exhibit 19–E–Hounds, Inc., # <u>23</u> Exhibit 20–The RWJ Group, LLC, # <u>24</u> Exhibit 21–Yip Levi, # <u>25</u> Exhibit 22–John M. Fedders, # <u>26</u> Exhibit 23–The Taylor Law Offices, P.C., # <u>27</u> Exhibit 24–EIM Consulting LLC, # <u>28</u> Exhibit 25–Orrick, # <u>29</u> Exhibit 26–Kirby Noonan Lance &amp; Hoge LLP, # <u>30</u> Exhibit 27–Cheney, Brock &amp; Saudek, P.C., # <u>31</u> Exhibit 28–Jones &amp; Keller, P.C., # <u>32</u> Exhibit 29–Proposed Order)(Morello, Gianluca) (Entered: 12/05/2012)</p>
12/14/2012	<u>951</u>		<p>ORDER ATTACHED granting <u>950</u> Unopposed Receiver's Thirteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and his Professionals. Signed by Judge Richard A. Lazzara on 12/14/2012. (SKH) (Entered: 12/14/2012)</p>
12/18/2012	<u>952</u>		<p>MOTION for miscellaneous relief, specifically for Entry of Final Judgment of Permanent Injunction and Other Relief and Notice of Filing Consent of <i>Defendants Scoop Capital, LLC, and Scoop Management, Inc.</i> by Securities and Exchange Commission. (Attachments: # <u>1</u> Consent of Defendants Scoop Capital, LLC, and Scoop Management, Inc., # <u>2</u> Text of Proposed Order)(Masel, Scott) (Entered: 12/18/2012)</p>
12/19/2012	<u>953</u>		<p>ORDER granting <u>952</u> Motion for Final Judgment as to Defendants Scoop Capital, LLC, and Scoop Management, Inc. Signed by Judge Richard A. Lazzara on 12/19/2012. (SKH) (Entered: 12/19/2012)</p>
12/20/2012	<u>954</u>		<p>FINAL JUDGMENT as to defendants Scoop Capital, LLC and Scoop Management, Inc. Signed by Judge Richard A. Lazzara on 12/19/2012. (CEK) (Entered: 12/20/2012)</p>

01/17/2013	<u>955</u>		ORDER ATTACHED deferring ruling on the motion at docket 740 pending resolution of Case No. 8:12-cv-557-T-27EAJ. Signed by Judge Richard A. Lazzara on 1/17/2013. (CCB) (Entered: 01/17/2013)
01/22/2013	<u>956</u>		MOTION for Settlement <i>re: Steve Ellis</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 01/22/2013)
01/23/2013	<u>957</u>		ORDER ATTACHED granting <u>956</u> Receiver's Motion to Approve Settlement with Steve Ellis associated with Case No. 8:10-cv-233-T-17MAP. Signed by Judge Richard A. Lazzara on 1/23/2013. (CCB) (Entered: 01/23/2013)
01/30/2013	<u>958</u>		NOTICE by Securities and Exchange Commission of <i>Voluntary Dismissal with Prejudice of its Disgorgement Claims Against Relief Defendants</i> (Masel, Scott) (Entered: 01/30/2013)
01/31/2013	<u>959</u>		ORDER that Plaintiff's disgorgement claims against the Relief Defendants are dismissed with prejudice. Signed by Judge Richard A. Lazzara on 1/31/2013. (SKH) (Entered: 01/31/2013)
02/04/2013	<u>960</u>		MOTION for Settlement <i>re: Donald Rowe, individually and as Trustee of the Wall Street Digest Defined Benefit Pension Plan, Joyce Rowe, and Carnegie Asset Management, Inc.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 02/04/2013)
02/04/2013	<u>961</u>		MOTION for Settlement <i>re: Henry M. Buhl</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 02/04/2013)
02/04/2013	<u>962</u>		ORDER ATTACHED granting <u>961</u> Receiver's Motion for Settlement with Henry M. Buhl associated with Case No. 10-cv-75-T-17MAP. Signed by Judge Richard A. Lazzara on 2/4/2013. (CCB) (Entered: 02/04/2013)
02/05/2013	<u>963</u>		ATTACHED ORDER granting <u>960</u> Receiver's Motion for Settlement with Joyce and Donald Rowe associated with Case No. 8:10-cv-245-T-17MAP. Signed by Judge Richard A. Lazzara on 2/5/2013. (CCB) (Entered: 02/05/2013)
02/08/2013	<u>964</u>		MOTION for miscellaneous relief, specifically to Approve Agreement Relating to Payment of Judgment <i>re: Samuel Ross Morgan, III</i> by Burton

			W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Agreement)(Morello, Gianluca) (Entered: 02/08/2013)
02/08/2013	<u>965</u>		ORDER ATTACHED granting <u>964</u> Receiver's Motion to Approve Agreement with Samuel R. Morgan, III, associated with Case No. 8:10-cv-205-T-17MAP. Signed by Judge Richard A. Lazzara on 2/8/2013. (CCB) (Entered: 02/08/2013)
02/14/2013	<u>966</u>		MOTION for miscellaneous relief, specifically to clarify certain settlement orders by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – profiteer's brief, # <u>2</u> Exhibit B – settlement orders, # <u>3</u> Exhibit C – proposed order)(Morello, Gianluca) (Entered: 02/14/2013)
02/14/2013	<u>967</u>		DECLARATION of Burton W. Wiand re <u>966</u> MOTION for miscellaneous relief, specifically to clarify certain settlement orders by Burton W. Wiand. (Morello, Gianluca) (Entered: 02/14/2013)
02/15/2013	<u>968</u>		ORDER ATTACHED directing World Opportunity Fund, L.P. to respond to <u>966</u> Motion to Clarify Certain Settlement Orders on or before 2/19/2013. Signed by Judge Richard A. Lazzara on 2/15/2013. (CCB) (Entered: 02/15/2013)
02/15/2013	969		NOTICE of hearing on <u>966</u> Motion to Clarify Certain Settlement Orders set for 2/21/2013 at 09:00 AM in Tampa Courtroom 15 B before Judge Richard A. Lazzara. (CCB) (Entered: 02/15/2013)
02/15/2013	<u>970</u>		NOTICE by Burton W. Wiand re <u>966</u> MOTION for miscellaneous relief, specifically to clarify certain settlement orders <i>Notice of Filing Amended Local Rule 3.01(g) Certification</i> (Lamont, Michael) (Entered: 02/15/2013)
02/15/2013	<u>971</u>		NOTICE by Burton W. Wiand re <u>966</u> MOTION for miscellaneous relief, specifically to clarify certain settlement orders <i>Notice of Filing Amended Local Rule 3.01(g) Certification</i> (Lamont, Michael) (Entered: 02/15/2013)
02/19/2013	<u>972</u>		Unopposed MOTION for James E. Connelly and Mark A. Rogers to appear pro hac vice by World Opportunity Fund, L.P.. (Schrils, Frederick) (Entered: 02/19/2013)
02/19/2013	<u>973</u>		RESPONSE to Motion re <u>966</u> MOTION for miscellaneous relief, specifically to clarify certain settlement orders filed by World Opportunity Fund, L.P.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u>

			Exhibit C)(Rogers, Mark) (Entered: 02/19/2013)
02/19/2013	974		ENDORSED ORDER granting <u>972</u> James E. Connelly and Mark A. Rogers' motion to appear pro hac vice. Signed by Judge Richard A. Lazzara on 2/19/2013. (SKH) (Entered: 02/19/2013)
02/19/2013	<u>975</u>		RESPONSE in Opposition re <u>966</u> MOTION for miscellaneous relief, specifically to clarify certain settlement orders and <i>JOINDER re <u>973</u> World Opportunity Fund's Objection to Receiver's Motion "To Clarify Certain Settlement Orders"</i> filed by Peter Roby, Katherine Roby, Charles A. Hailey, Gregg Weinberg, Louis Wang, John D. Whitlock, Rodney Nigel Turner, W.W. Whitlock Foundation, Paul Swenson, Harvey A. Gilbert, Deanne E. Gilbert, Thomas Luck, Mark Munson, Melinda Munson, Munson Family Partners, Ltd.. (Warren, Jeffrey) (Entered: 02/19/2013)
02/20/2013	<u>976</u>		ORDER ATTACHED denying <u>966</u> Motion to Clarify Settlement Orders and cancelling hearing scheduled Thursday, February 21, 2013, at 9:00 a.m. Signed by Judge Richard A. Lazzara on 2/20/2013. (SKH) (Entered: 02/20/2013)
02/20/2013	977		NOTICE cancelling Motion Hearing hearing scheduled for 2/21/2013 at 9:00 a.m. (SKH) (Entered: 02/20/2013)
02/20/2013	<u>978</u>		ORDER ATTACHED regarding Order entered at docket 976. Signed by Judge Richard A. Lazzara on 2/20/2013. (CCB) (Entered: 02/20/2013)
02/21/2013			***PRO HAC VICE FEES paid and Special Admission Attorney Certification Form filed by attorney James E. Connelly, appearing on behalf of World Opportunity Fund, L.P. (Filing fee \$10 receipt number TPA15986.). (JNB) (Entered: 02/21/2013)
02/21/2013			***PRO HAC VICE FEES paid and Special Admission Attorney Certification Form filed by attorney Mark A. Rogers, appearing on behalf of World Opportunity Fund, L.P. (Filing fee \$10 receipt number TPA15986.). (JNB) (Entered: 02/21/2013)
02/28/2013	<u>979</u>		MOTION for miscellaneous relief, specifically to enjoin the R. Formica et al. v. D. Rowe et al., Case No. 8:11-cv-516 (M.D. Fla.) and J. Bell, II et al. v. D. Rowe et al., Case No. 2009 CA 4925 NC (Sarasota Cty Cir. Ct.) by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Formica v. Rowe Operative Complaint, # <u>2</u> Exhibit 2 – Bell v. Rowe

			Operative Complaint)(Morello, Gianluca) (Entered: 02/28/2013)
03/01/2013	<u>980</u>		MOTION to modify <i>Order Disallowing Claim</i> by Elendow LLC. (Attachments: # <u>1</u> Affidavit in Support of Claimant Ellendow, LLC's Motion for Reconsideration of Cliam, # <u>2</u> Affidavit in Support of Claimant Elendwo LLC's Motion to Modify Oder Disallowing Claim)(Bleil, Joshua) (Entered: 03/01/2013)
03/04/2013	<u>981</u>		Unopposed MOTION for miscellaneous relief, specifically for Permission to Prosecute Limited Cross–Appeals by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – (Lee) Report and Recommendation, # <u>2</u> Exhibit B – (Lee) Order adopting Report and Recommendation, # <u>3</u> Exhibit C – (Dancing \$) Report and Recommendation, # <u>4</u> Exhibit D – (Dancing \$) Order adopting Report and Recommendation)(Morello, Gianluca) (Entered: 03/04/2013)
03/05/2013	<u>982</u>		ORDER granting <u>981</u> Receiver's Motion for Permission to Prosecute Cross–Appeals <u>981</u> . Signed by Judge Richard A. Lazzara on 3/5/2013. (SKH) (Entered: 03/05/2013)
03/06/2013	<u>983</u>		Unopposed MOTION to Appoint Receiver ( <i>Sixth Motion for Reappointment of Receiver</i> ) by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order)(Morello, Gianluca) (Entered: 03/06/2013)
03/07/2013	<u>984</u>		ORDER granting <u>983</u> Motion to Appoint Receiver.. Signed by Judge Richard A. Lazzara on 3/7/2013. (SKH) (Entered: 03/07/2013)
03/11/2013	<u>985</u>		NOTICE by Burton W. Wiand re <u>979</u> MOTION for miscellaneous relief, specifically to enjoin the R. Formica et al. v. D. Rowe et al., Case No. 8:11–cv–516 (M.D. Fla.) and J. Bell, II et al. v. D. Rowe et al., Case No. 2009 CA 4925 NC (Sarasota Cty Cir. Ct.) (Morello, Gianluca) (Entered: 03/11/2013)
03/11/2013	<u>986</u>		ORDER ATTACHED enjoining J. Bell, II, et al. v. D. Rowe, et al., No. 2009 CA 4925 pending in the Twelfth Judicial Circuit, and directing Plaintiffs' counsel to notify presiding judge. Signed by Judge Richard A. Lazzara on 3/11/2013. (CCB) (Entered: 03/11/2013)
03/14/2013	<u>987</u>		MEMORANDUM in opposition re <u>979</u> Motion for Miscellaneous Relief filed by Richard Formica. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Barker, Chris) (Entered: 03/14/2013)

03/15/2013	<u>988</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval to Transfer Vehicle Titles by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order, # <u>2</u> Exhibit B – Limited Power of Attorney)(Morello, Gianluca) (Entered: 03/15/2013)
03/15/2013	<u>989</u>		ORDER granting <u>988</u> Motion for Approval to Transfer Vehicles' Titles. Signed by Judge Richard A. Lazzara on 3/15/2013. (SKH) (Entered: 03/15/2013)
03/18/2013	<u>990</u>		RESPONSE in Opposition re <u>980</u> MOTION to modify <i>Order Disallowing Claim by Elendow LLC</i> filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 03/18/2013)
03/18/2013	<u>991</u>		DECLARATION of Gianluca Morello re <u>990</u> Response in Opposition to Motion by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Morello, Gianluca) (Entered: 03/18/2013)
03/19/2013	992		ENDORSED ORDER directing the Receiver to respond to The Formicas' Memorandum of Law in Opposition to the Receiver's Motion to Enjoin Court Proceedings. Responses due by 3/26/2013. Signed by Judge Richard A. Lazzara on 3/19/2013. (SKH) (Entered: 03/19/2013)
03/21/2013	<u>993</u>		MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Quest Energy Management Group, Inc. by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order)(Morello, Gianluca) (Entered: 03/21/2013)
03/21/2013	<u>994</u>		DECLARATION of Burton W. Wiand re <u>993</u> MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Quest Energy Management Group, Inc. by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L)(Morello, Gianluca) (Entered: 03/21/2013)
03/26/2013	<u>995</u>		REPLY to Response to Motion re <u>979</u> MOTION for miscellaneous relief, specifically to enjoin the R. Formica et al. v. D. Rowe et al., Case No. 8:11-cv-516 (M.D. Fla.) and J. Bell, II et al. v. D. Rowe et al., Case No. 2009 CA 4925 NC (Sarasota Cty Cir. Ct.) filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 03/26/2013)
03/28/2013	<u>996</u>		ORDER deferring ruling on <u>979</u> Receiver's Motion to Enjoin Court Proceedings subject to being

			reopened after Judge Scriven rules on the motions for summary judgment in case 8:11-cv-516-MSS-EAJ. Signed by Judge Richard A. Lazzara on 3/28/2013. (SKH) (Entered: 03/28/2013)
04/04/2013	<u>997</u>		NOTICE of <i>Limited</i> Appearance by James E. Felman on behalf of Quest Energy Management Group, Inc. (Felman, James) (Entered: 04/04/2013)
04/04/2013	<u>998</u>		NOTICE of <i>Limited</i> Appearance by Katherine Earle Yanes on behalf of Quest Energy Management Group, Inc. (Yanes, Katherine) (Entered: 04/04/2013)
04/04/2013	<u>999</u>		MOTION for Extension of Time to File Response/Reply as to <u>993</u> MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Quest Energy Management Group, Inc. by Quest Energy Management Group, Inc.. (Felman, James) (Entered: 04/04/2013)
04/04/2013	1000		ENDORSED ORDER granting <u>999</u> Motion for Extension of Time to File Response to <u>993</u> Motion to Expand the Scope of Receivership to Include Quest Energy Management Group, Inc. Response due on or before 4/15/2013. Signed by Judge Richard A. Lazzara on 4/4/2013. (CCB) (Entered: 04/04/2013)
04/08/2013	<u>1001</u>		STATUS report <i>Receiver's Thirteenth Interim Report (October 1, 2012 – February 28, 2013)</i> by Burton W. Wiand as to Scoop Real Estate, L.P., E. John Lopez, Victory IRA Fund, Ltd., Marty Huppert, Victory Fund, Ltd., Carrelage Multi-Strategy Offshore Fund, Ltd., Anne Nadel-Walbridge, Viking IRA Fund, LLC, Viking Management, LLC, Kelvin V. Lee, Viking Fund, LLC, Scoop Management, Inc., Valhalla Management, Inc., Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank, N.A., Valhalla Investment Partners, L.P., Arthur Nadel, Scoop Capital, LLC. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Receivership Assets Sold or Otherwise Disposed, # <u>3</u> Exhibit C – Chris Moody's Assets, # <u>4</u> Exhibit D – Neil Moody's Assets)(Morello, Gianluca) (Entered: 04/08/2013)
04/12/2013	<u>1002</u>		ORDER ATTACHED denying <u>980</u> Motion to Modify. Signed by Judge Richard A. Lazzara on 4/12/2013. (CCB) (Entered: 04/12/2013)

04/15/2013	<u>1003</u>		MEMORANDUM in opposition re <u>993</u> Motion for Miscellaneous Relief filed by Quest Energy Management Group, Inc.. (Attachments: # <u>1</u> Exhibit A)(Yanes, Katherine) (Entered: 04/15/2013)
04/17/2013	<u>1004</u>		MOTION for leave to file Reply to Quest Energy Management Group, Inc.'s Opposition to the Receiver's Motion to Expand The Scope of Receivership by Burton W. Wiand. (Morello, Gianluca) (Entered: 04/17/2013)
04/17/2013	1005		ENDORSED ORDER granting <u>1004</u> Motion for Leave to File Reply on or before April 26, 2013. Signed by Judge Richard A. Lazzara on 4/17/2013. (CCB) (Entered: 04/17/2013)
04/17/2013	<u>1006</u>		NOTICE of Appearance by Robert K. Levenson on behalf of Securities and Exchange Commission (Levenson, Robert) (Entered: 04/17/2013)
04/26/2013	<u>1007</u>		REPLY to Response to Motion re <u>993</u> MOTION for miscellaneous relief, specifically to Expand the Scope of Receivership to Include Quest Energy Management Group, Inc. filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Morello, Gianluca) (Entered: 04/26/2013)
04/29/2013	<u>1008</u>		MOTION for Kynes, Markman &Felman; James E. Felman; and Katherine Earle Yanes to withdraw as attorney by Quest Energy Management Group, Inc.. (Yanes, Katherine) (Entered: 04/29/2013)
04/29/2013	<u>1009</u>		ORDER ATTACHED granting <u>1008</u> Motion to Withdraw as Attorney for Quest. Attorneys James E. Felman and Katherine Earle Yanes terminated. Quest shall have until 5/14/2013 for new counsel to enter appearance. Signed by Judge Richard A. Lazzara on 4/29/2013. (CCB) (Entered: 04/29/2013)
04/29/2013	1010		ENDORSED ORDER: Former counsel for Quest Energy Management Group, Inc., shall furnish a copy of the Court's order allowing counsel to withdraw to Quest no later than the close of business Tuesday, April 30, 2013. Signed by Judge Richard A. Lazzara on 4/29/2013. (CCB) (Entered: 04/29/2013)
05/06/2013	<u>1011</u>		Unopposed MOTION for Order of Sale of <i>Unencumbered Real Property Located in Thomasville, Thomas County, Georgia</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Morello, Gianluca) (Entered: 05/06/2013)
05/07/2013	<u>1012</u>		MOTION for Settlement <i>re: Dominique Schmidt and Caroline Schwab</i> by Burton W. Wiand.

			(Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/07/2013)
05/07/2013	<u>1013</u>		MOTION for Settlement <i>re: Edward Steinhauser and Diane Schwab</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 05/07/2013)
05/07/2013	<u>1014</u>		ORDER ATTACHED granting <u>1012</u> Receiver's Motion for Settlement with Dominique Schmidt and Caroline Schwab associated with Case no. 8:10-cv-223-T-17MAP. Signed by Judge Richard A. Lazzara on 5/7/2013. (CCB) (Entered: 05/07/2013)
05/07/2013	<u>1015</u>		ORDER ATTACHED granting <u>1013</u> Receiver's Motion for Settlement with Edward Steinhauser and Diane Schwab associated with Case no. 8:10-cv-157-T-17MAP. Signed by Judge Richard A. Lazzara on 5/7/2013. (CCB) (Entered: 05/07/2013)
05/08/2013	<u>1016</u>		ORDER granting <u>1011</u> Motion for Order of Sale. Any and all claims relating to the real properties that is the subject of this order shall be extinguished at the time of its sale by the receiver. Signed by Judge Richard A. Lazzara on 5/8/2013. (MSS) (Entered: 05/08/2013)
05/13/2013	1017		***STRICKEN PER <u>1018</u> ORDER*** MOTION to extend time to retain attorney by Quest Energy Management Group, Inc. (JNB) Modified on 5/15/2013 (JNB). (Entered: 05/14/2013)
05/14/2013	<u>1018</u>		ORDER ATTACHED striking 1017 Motion to Extend Time to Retain Attorney. Signed by Judge Richard A. Lazzara on 5/14/2013. (CCB) (Entered: 05/14/2013)
05/14/2013	<u>1019</u>		NOTICE of Appearance by John Austin Rine on behalf of Quest Energy Management Group, Inc. (Rine, John) (Entered: 05/14/2013)
05/22/2013	<u>1020</u>		Unopposed MOTION for miscellaneous relief, specifically PERMISSION TO PROSECUTE LIMITED CROSS-APPEAL by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Morello, Gianluca) (Entered: 05/22/2013)
05/22/2013	1021		ENDORSED ORDER granting <u>1020</u> Motion to Prosecute Limited Cross-Appeal. Signed by Judge Richard A. Lazzara on 5/22/2013. (CCB) (Entered: 05/22/2013)

			05/22/2013)
05/23/2013	<u>1022</u>		MOTION for leave to file Sur-reply by Quest Energy Management Group, Inc.. (Rine, John) (Entered: 05/23/2013)
05/24/2013	1023		ENDORSED ORDER denying <u>1022</u> Motion for Leave to File Sur-reply. Signed by Judge Richard A. Lazzara on 5/24/2013. (CCB) (Entered: 05/24/2013)
05/24/2013	<u>1024</u>		ORDER ATTACHED granting <u>993</u> Motion to Expand Scope of Receivership regarding Quest. Signed by Judge Richard A. Lazzara on 5/24/2013. (CCB) (Entered: 05/24/2013)
06/05/2013	<u>1025</u>		MOTION for Settlement <i>re: Ellen Schwab</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/05/2013)
06/05/2013	<u>1026</u>		ORDER ATTACHED granting <u>1025</u> Receiver's Motion for Settlement with Ellen Schwab associated with Case No. 8:10-cv-130-T-17MAP. Signed by Judge Richard A. Lazzara on 6/5/2013. (CCB) (Entered: 06/05/2013)
06/14/2013	<u>1027</u>		NOTICE OF APPEAL as to <u>1024</u> Order on Motion for Miscellaneous Relief by Quest Energy Management Group, Inc.. Filing fee not paid. (Attachments: # <u>1</u> Exhibit A)(Rine, John) (Entered: 06/14/2013)
06/14/2013			TRANSMITTAL of initial appeal package to USCA consisting of copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>1027</u> Notice of appeal. Eleventh Circuit Transcript information form forwarded to pro se litigants and available to counsel at www.flmd.uscourts.gov under Forms and Publications/General. (BSN) (Entered: 06/17/2013)
06/19/2013	<u>1028</u>		MOTION for Mark A. Platt to appear pro hac vice by Van Operating, Ltd.. (Colton, Roberta) (Entered: 06/19/2013)
06/19/2013			***PRO HAC VICE FEES paid and Special Admission Attorney Certification Form filed by attorney Mark A. Platt, appearing on behalf of Van Operating, Ltd. (Filing fee \$10 receipt number TPA17983.). (JNB) (Entered: 06/20/2013)
06/20/2013	1029		ENDORSED ORDER granting <u>1028</u> Motion to Appear pro hac vice. Signed by Judge Richard A. Lazzara on 6/20/2013. (CCB) (Entered: 06/20/2013)

06/20/2013			USCA appeal fees received \$ 455 receipt number tpa17990 re <u>1027</u> Notice of appeal filed by Quest Energy Management Group, Inc. (ARC) (Entered: 06/20/2013)
06/20/2013			TRANSMITTAL to USCA forwarding receipt #TPA-17990 re <u>1027</u> Notice of appeal (RFK) (Entered: 06/20/2013)
06/20/2013	<u>1030</u>		NOTICE of Appearance by Mark A. Platt on behalf of Van Operating, Ltd. (Platt, Mark) (Entered: 06/20/2013)
06/26/2013	<u>1031</u>		MOTION for Settlement <i>re: The Carrswold Partnership – AAA Arbitration</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/26/2013)
06/27/2013	<u>1032</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement <u>1031</u> . The Court approves the written settlement agreement attached to the motion entered into between the Receiver and The Carrswold Partnership. Signed by Judge Richard A. Lazzara on 6/27/2013. (SKH) (Entered: 06/27/2013)
07/02/2013	<u>1033</u>		Unopposed MOTION for miscellaneous relief, specifically for establishing procedure to resolve objection to claim number 445 by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Morello, Gianluca) (Entered: 07/02/2013)
07/03/2013	<u>1034</u>		ORDER ATTACHED granting <u>1033</u> Motion for Establishing Procedure to Resolve Objection to Claim Number 445 (see attached order for details of procedure). Signed by Judge Richard A. Lazzara on 7/3/2013. (CCB) (Entered: 07/03/2013)
07/09/2013	<u>1035</u>		MOTION for Settlement <i>re: Anne Nadel Walbridge</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 07/09/2013)
07/09/2013	<u>1036</u>		ORDER ATTACHED granting <u>1035</u> Receiver's Motion to Approve Settlement with Anne Nadel Walbridge associated with case no. 8:12-cv-2532-T-23TGW. Signed by Judge Richard A. Lazzara on 7/9/2013. (CCB) (Entered: 07/09/2013)
07/09/2013	<u>1037</u>		Unopposed MOTION for Attorney Fees <i>Receiver's Fourteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals</i> by Burton W.

		<p>Wiand. (Attachments: # <u>1</u> Exhibit 1–Standardized Fund Accounting Report, # <u>2</u> Exhibit 2a–Rec’s 13th Interim Report–Part 1, # <u>3</u> Exhibit 2b–Rec’s 13th Interim Report–Part 2, # <u>4</u> Exhibit 3–Prior Interim Motions for Fees and Costs, # <u>5</u> Exhibit 4–Scoop Receivership–Rep of Scoop Receivership, # <u>6</u> Exhibit 5–Scoop Receivership–Recovery from Investors, # <u>7</u> Exhibit 6–Scoop Receivership–Recovery of Assets from N. and C. Moody, # <u>8</u> Exhibit 7–Scoop Receivership–Recovery of Commissions, # <u>9</u> Exhibit 8–Scoop Receivership–Holland &amp; Knight, # <u>10</u> Exhibit 9–Categorization and Summary of WGK Costs, # <u>11</u> Exhibit 10–Attorney Fee Schedule, # <u>12</u> Exhibit 11–Scoop Legal Team–Scoop Capital, LLC, # <u>13</u> Exhibit 12–Scoop Legal Team–Recovery from Investors, # <u>14</u> Exhibit 13–Scoop Legal Team–Recovery of Assets from N. and C. Moody, # <u>15</u> Exhibit 14–Scoop Legal Team–Recovery of Commissions, # <u>16</u> Exhibit 15–Scoop Legal Team–Holland &amp; Knight, # <u>17</u> Exhibit 16–James Hoyer et al., # <u>18</u> Exhibit 17–PDR Certified Public Accountants, # <u>19</u> Exhibit 18–E–Hounds, Inc., # <u>20</u> Exhibit 19–The RWJ Group, LLC, # <u>21</u> Exhibit 20–Yip Levi, # <u>22</u> Exhibit 21–EIM Consulting, LLC, # <u>23</u> Exhibit 22–Allen Dell PA, # <u>24</u> Exhibit 23– Jones &amp; Keller PC, # <u>25</u> Exhibit 24–Briggs and Morgan PA, # <u>26</u> Exhibit 25–Goetz, Baldwin et al., # <u>27</u> Exhibit 26–Stichter, Riedel et al., # <u>28</u> Exhibit 27–Proposed Order)(Morello, Gianluca) (Entered: 07/09/2013)</p>
07/11/2013	<u>1038</u>	<p>NOTICE by Burton W. Wiand re <u>1034</u> Order on Motion for Miscellaneous Relief <i>Notice of Filing Joint Statement of Undisputed Facts Relating to Objection to Determination of Claim Number 445</i> (Attachments: # <u>1</u> Main Document Joint Statement of Undisputed Facts Relating to Objection to Determination of Claim Number 445, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Exhibit T, # <u>22</u> Exhibit U, # <u>23</u> Exhibit V)(Morello, Gianluca) (Entered: 07/11/2013)</p>
07/15/2013	<u>1039</u>	<p>MOTION to intervene <i>and for Immediate Accounting</i> by Jeff Downey. (Attachments: # <u>1</u> Exhibit A)(Rine, John) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 07/15/2013)</p>

			07/15/2013)
07/16/2013	<u>1040</u>		ORDER ATTACHED denying <u>1039</u> Motion to Intervene and Motion for Immediate Accounting. Signed by Judge Richard A. Lazzara on 7/16/2013. (CCB) (Entered: 07/16/2013)
07/16/2013	<u>1041</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval of Sale of Real Property Located in Evergreen, Jefferson County, Colorado by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Part 1 of 2, # <u>3</u> Exhibit 2 – Part 2 of 2, # <u>4</u> Exhibit 3 – Part 1 of 2, # <u>5</u> Exhibit 3 – Part 2 of 2, # <u>6</u> Exhibit 4 – Part 1 of 3, # <u>7</u> Exhibit 4 – Part 2 of 3, # <u>8</u> Exhibit 4 – Part 3 of 3, # <u>9</u> Exhibit 5, # <u>10</u> Exhibit 6, # <u>11</u> Exhibit 7)(Morello, Gianluca) (Entered: 07/16/2013)
07/17/2013	<u>1042</u>		Unopposed MOTION for miscellaneous relief, specifically for Approval of Sale of Real Property Located in Sarasota, Sarasota County, Florida by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4 – Part 1 of 2, # <u>5</u> Exhibit 4 – Part 2 of 2, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7)(Morello, Gianluca) (Entered: 07/17/2013)
07/18/2013	<u>1043</u>		ORDER granting <u>1041</u> Motion for approval of sale of real property located in Evergreen Jefferson County, Colorado. Signed by Judge Richard A. Lazzara on 7/18/2013. (see order) (MSS) (Entered: 07/18/2013)
07/18/2013	<u>1044</u>		ORDER granting <u>1042</u> Motion for approval of sale of real property located in in Sarasota, Sarasota Florida. Signed by Judge Richard A. Lazzara on 7/18/2013. (see order) (MSS) (Entered: 07/18/2013)
07/25/2013	<u>1045</u>		MOTION for Settlement <i>re: Walter Schwab, et al.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 07/25/2013)
07/26/2013	<u>1046</u>		ORDER ATTACHED granting <u>1045</u> Receiver's Motion for Settlement with Walter Schwab, associated with Case No. 8:10-cv-185-T-17MAP. Signed by Judge Richard A. Lazzara on 7/26/2013. (CCB) (Entered: 07/26/2013)
07/29/2013	<u>1047</u>		ORDER granting <u>1037</u> Unopposed Receiver's Fourteenth Interim Motion for Attorney Fees. Signed by Judge Richard A. Lazzara on 7/29/2013. (see order) (MSS) (Entered: 07/29/2013)
07/31/2013	<u>1048</u>		

			MEMORANDUM in support re <u>1034</u> Order on Motion for Miscellaneous Relief filed by Fulcrum Distressed Opportunities Fund I, LP. (Eckhardt, Kevin) (Entered: 07/31/2013)
08/12/2013	<u>1049</u>		MOTION for miscellaneous relief, specifically Approve the sale of 2009 BMW 5351 by Burton W. Wiand. (Attachments: # <u>1</u> Text of Proposed Order Exhibit 1, # <u>2</u> Exhibit Exhibit 2)(Morello, Gianluca) (Entered: 08/12/2013)
08/13/2013	<u>1050</u>		ORDER granting <u>1049</u> Motion to Approve Sale of 2009 BMW 535i. Signed by Judge Richard A. Lazzara on 8/13/2013. (SKH) (Entered: 08/13/2013)
08/20/2013	<u>1051</u>		MEMORANDUM in opposition re <u>1048</u> Memorandum in support – <i>Receiver's memorandum re. affirming denial of Claim 445</i> filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 08/20/2013)
08/23/2013	<u>1052</u>		Unopposed MOTION for clarification re <u>822</u> Order on Motion to Disqualify by Burton W. Wiand. (Morello, Gianluca) (Entered: 08/23/2013)
08/23/2013	1053		ENDORSED ORDER granting <u>1052</u> Motion for Clarification and permitting counsel to attend the deposition of the Receiver as set forth in the motion. Signed by Judge Richard A. Lazzara on 8/23/2013. (CCB) (Entered: 08/23/2013)
08/26/2013	<u>1054</u>		STATUS report <i>Receiver's Interim Report on Quest Energy Management Group, Inc. (May 24, 2013 to August 26, 2013)</i> by Burton W. Wiand as to Scoop Real Estate, L.P., Jeff Downey, E. John Lopez, Victory IRA Fund, Ltd., Marty Huppert, Victory Fund, Ltd., Carrelage Multi-Strategy Offshore Fund, Ltd., Anne Nadel-Walbridge, Viking IRA Fund, LLC, Viking Management, LLC, Kelvin V. Lee, Viking Fund, LLC, Scoop Management, Inc., Valhalla Management, Inc., Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank, N.A., Valhalla Investment Partners, L.P., Arthur Nadel, Scoop Capital, LLC. (Attachments: # <u>1</u> Exhibit A – Wheeler's Preliminary Report, # <u>2</u> Exhibit B – Order, # <u>3</u> Exhibit C – September 2011 letter, # <u>4</u> Exhibit D – Status Update Memoranda dated September 24, 2012 and October 16, 2012)(Morello, Gianluca) (Entered: 08/26/2013)
08/27/2013	<u>1055</u>		ORDER/NOTICE OF HEARING scheduling Status Conference on THURSDAY, SEPTEMBER 5, 2013, at 10:30 a.m., in Tampa Courtroom 15B before Judge Richard A. Lazzara. The Receiver and counsel for the SEC should be prepared to discuss

			with the Court whether it is financially in the best interest of the Receivership and the defrauded investors to maintain Quest as a receivership entity. The Receiver is directed to post this order on the Receivership's informational website so that interested parties may be informed of the date, time, and place of the Status Conference if they wish to attend. (SKH) (Entered: 08/27/2013)
08/27/2013	<u>1056</u>		Unopposed MOTION to Continue <i>the Status Conference of September 5, 2013</i> by Securities and Exchange Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Levenson, Robert) (Entered: 08/27/2013)
08/28/2013	1057		ENDORSED ORDER granting <u>1056</u> Motion to Continue Status Conference scheduled September 5, 2013. Status Conference rescheduled to WEDNESDAY, SEPTEMBER 4, 2013, at 9:00 a.m. Signed by Judge Richard A. Lazzara on 8/28/2013. (SKH) (Entered: 08/28/2013)
08/28/2013	1058		NOTICE OF RESCHEDULING HEARING: The Status Conference previously scheduled for 9/5/2013 is rescheduled. New scheduling date and time: Status Conference reset for WEDNESDAY, SEPTEMBER 4, 2013, at 9:00 a.m., in Tampa Courtroom 15B before Judge Richard A. Lazzara. (SKH) (Entered: 08/28/2013)
08/28/2013	<u>1059</u>		ORDER regarding appearances at Status Conference scheduled Wednesday, September 4, 2013, at 9:00 a.m. The Receiver is directed to post this Order on the Receivership's informational website so that interested parties may be informed of the date, time, and place of the Status Conference if they wish to attend, whether personally or via teleconferencing as set forth. Signed by Judge Richard A. Lazzara on 8/28/2013. (SKH) (Entered: 08/28/2013)
08/28/2013	<u>1060</u>		NOTICE of compliance re <u>1059</u> Order pdf by Burton W. Wiand (Morello, Gianluca) (Entered: 08/28/2013)
08/29/2013	<u>1061</u>		ORDER ATTACHED overruling objection to and affirming denial of Claim 445. Signed by Judge Richard A. Lazzara on 8/29/2013. (CCB) (Entered: 08/29/2013)
09/03/2013	<u>1062</u>		MOTION to intervene <i>and/or to file amicus curiae memorandum</i> by Jeff Downey. (Attachments: # <u>1</u> Exhibit A)(Rine, John) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 09/03/2013)

09/04/2013	<u>1063</u>		Minute Entry. Proceedings held before Judge Richard A. Lazzara: STATUS CONFERENCE held on 9/4/2013. Court Reporter: Sandra K. Provenzano (MSS) (Entered: 09/04/2013)
09/04/2013	1064		ENDORSED ORDER denying <u>1062</u> Motion to Intervene as stated on the record in open court. Signed by Judge Richard A. Lazzara on 9/4/2013. (MSS) (Entered: 09/04/2013)
09/05/2013	<u>1065</u>		MOTION to intervene <i>and to Allow First National Bank of Albany/Breckenridge to go Free of the Stay to Enforce its Security Interest in Assets of Quest Energy Management Group, Inc., and Motion for Immediate Accounting and Memorandum of Law in Support of the Motion</i> by First National Bank of Albany/Breckenridge. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Rotella, Raymond) Motions referred to Magistrate Judge Thomas B. McCoun III. (Entered: 09/05/2013)
09/05/2013	<u>1066</u>		Unopposed MOTION for Settlement <i>re: The Carrswold Partnership</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 09/05/2013)
09/06/2013	<u>1067</u>		ORDER ATTACHED granting <u>1066</u> Receiver's Motion for Settlement with the Carrswold Partnership and associated with Case No. 8:10-cv-212-T-17MAP. Signed by Judge Richard A. Lazzara on 9/6/2013. (CCB) (Entered: 09/06/2013)
09/17/2013	<u>1068</u>		ORDER of USCA: Appellee's motion to dismiss the appeal for violation of injunction and lack of jurisdiction is CARRIED WITH THE CASE filed by Appellee Burton W. Wiand. as to <u>1027</u> Notice of appeal filed by Quest Energy Management Group, Inc. EOD: 9/17/13; USCA number: 13-12778-FF. (JNB) (Entered: 09/17/2013)
09/19/2013	<u>1069</u>		RESPONSE to Motion re <u>1065</u> MOTION to intervene <i>and to Allow First National Bank of Albany/Breckenridge to go Free of the Stay to Enforce its Security Interest in Assets of Quest Energy Management Group, Inc., and Motion for Immediate Accounting and Memorandum of Law in Suppo – filed by Securities and Exchange Commission. (Levenson, Robert) (Entered: 09/19/2013)</i>
09/23/2013	<u>1070</u>		RESPONSE in Opposition re <u>1065</u> MOTION to

			intervene and to Allow First National Bank of Albany/Breckenridge to go Free of the Stay to Enforce its Security Interest in Assets of Quest Energy Management Group, Inc., and Motion for Immediate Accounting and Memorandum of Law in Suppo filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Morello, Gianluca) (Entered: 09/23/2013)
09/25/2013	<u>1071</u>		Unopposed MOTION for Settlement re: Daniel A. Zak, individually and as Trustee of the EPMG–NW P.C. MPP &PS Trust and Marian Zak, as Trustee of the Marvin Zak and Marian Lyle Zak Bypass Trust u/d dtd October 16, 1998 by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 09/25/2013)
09/25/2013	<u>1072</u>		ORDER ATTACHED granting <u>1071</u> the Receiver's Motion for Settlement with Daniel A Zak, individually and as Trustee, and Marion Zak as Trustee, and associated with Case Nos. 8:10–cv–161–T–17MAP and 8:10–cv–170–T–17MAP. Signed by Judge Richard A. Lazzara on 9/25/2013. (CCB) (Entered: 09/25/2013)
09/27/2013	<u>1073</u>		ORDER ATTACHED denying <u>1065</u> Motion to Intervene. Signed by Judge Richard A. Lazzara on 9/27/2013. (CCB) (Entered: 09/27/2013)
09/30/2013	<u>1074</u>		Unopposed MOTION for miscellaneous relief, specifically to Approve Sale of the Assets of Respiro, Inc. by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Purchase Agreement, # <u>3</u> Exhibit 3 – Orders)(Morello, Gianluca) (Entered: 09/30/2013)
10/01/2013	<u>1075</u>		ORDER granting <u>1074</u> Motion to Approve Sale of the Assets of Respiro, Inc. Signed by Judge Richard A. Lazzara on 10/1/2013. (SKH) (Entered: 10/01/2013)
10/15/2013	<u>1076</u>		MOTION for miscellaneous relief, specifically Partial Relief from Stay , MOTION for leave to file to Permit Filing of a Lien in Public Records by La Bellasara Condominium Association, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Carroll, Hunter) (Entered: 10/15/2013)
10/17/2013	<u>1077</u>		STATUS report Receiver's Fourteenth Interim Report (March 1, 2013 – August 31, 2013) by Burton W. Wiand as to Scoop Real Estate, L.P., E.

			John Lopez, Victory IRA Fund, Ltd., Marty Huppert, Victory Fund, Ltd., Carrelage Multi-Strategy Offshore Fund, Ltd., Anne Nadel-Walbridge, Viking IRA Fund, LLC, Viking Management, LLC, Kelvin V. Lee, Viking Fund, LLC, Scoop Management, Inc., Valhalla Management, Inc., Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank, N.A., Valhalla Investment Partners, L.P., Arthur Nadel, Scoop Capital, LLC. (Attachments: # <u>1</u> Exhibit A-Standardized Fund Accounting Report, # <u>2</u> Exhibit B- Receivership Assets Sold or Otherwise Disposed, # <u>3</u> Exhibit C- Chris Moody's Assets, # <u>4</u> Exhibit D- Neil Moody's Assets)(Morello, Gianluca) (Entered: 10/17/2013)
10/22/2013	<u>1078</u>		Unopposed MOTION for Settlement <i>re: Wiand, as Receiver v. Donald Rowe, et al. (8:10-cv-245), specifically, settlement with Marianne Bollaci Siegal, as trustee of the Hardin Family Irrevocable Trust u/a/d January 21, 2013</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 10/22/2013)
10/22/2013	<u>1079</u>		Unopposed MOTION for Settlement <i>re: Wiand, as Receiver v. Donald Rowe, et al. (8:10-cv-245), specifically, settlement with SRB Associates, Inc.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 10/22/2013)
10/23/2013	<u>1080</u>		ORDER granting <u>1078</u> Motion for Settlement between the Receiver and Marianne Bollaci Siegal as trustee of the Hardin Family Irrevocable Trust. Signed by Judge Richard A. Lazzara on 10/23/2013. (SKH) (Entered: 10/23/2013)
10/23/2013	<u>1081</u>		ORDER ATTACHED granting <u>1079</u> Receiver's Motion for Settlement with Donald Rowe et al. and associated with Case No. 8:10-cv-245-T-17MAP. Signed by Judge Richard A. Lazzara on 10/23/2013. (CCB) (Entered: 10/23/2013)
10/25/2013	1082		CERTIFICATE OF readiness to USCA: Pursuant to F.R.A.P. 11(c), the Clerk of the District Court for the Middle District of Florida certifies that the record is complete for the purposes of this appeal re: <u>1027</u> Notice of appeal. The following documents will be forwarded in paper format upon the request for the record on appeal by the USCA in addition to the electronic record. Volume of pleadings (SEALED): 1. USCA number: 13-12778-FF (BSN)

			(Entered: 10/30/2013)
11/01/2013	<u>1083</u>		RESPONSE in Opposition re <u>1076</u> MOTION for miscellaneous relief, specifically Partial Relief from Stay MOTION for leave to file to Permit Filing of a Lien in Public Records filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 11/01/2013)
11/04/2013	<u>1084</u>		ORDER ATTACHED denying <u>1076</u> Motion for Partial Relief from Stay to File Lien. Signed by Judge Richard A. Lazzara on 11/4/2013. (CCB) (Entered: 11/04/2013)
11/06/2013	<u>1085</u>		MOTION for miscellaneous relief, specifically to (1) Approve Third Interim Distribution, (2) Increase Certain Reserves, and (3) Release Certain Other Reserves by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A–Distribution Schedule, # <u>2</u> Exhibit B–Reserves, # <u>3</u> Exhibit C–Proposed Order)(Morello, Gianluca) (Entered: 11/06/2013)
11/14/2013	<u>1086</u>		Unopposed MOTION for Attorney Fees <i>Receiver's Fifteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs To Receiver and His Professionals</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1–Standardized Fund Accounting Report, # <u>2</u> Exhibit 2–Part 1 of 2–Receiver's 14th Interim Report, # <u>3</u> Exhibit 2–Part 2 of 2–Receiver's 14th Interim Report, # <u>4</u> Exhibit 3–Listing of Prior Interim Motions for Fees and Costs, # <u>5</u> Exhibit 4–Scoop Receivership–Representation of Scoop Receivership, # <u>6</u> Exhibit 5–Scoop Receivership–Recovery from Investors, # <u>7</u> Exhibit 6–Scoop Receivership–Recovery of Assets from C. and N. Moody, # <u>8</u> Exhibit 7–Scoop Receivership–Recovery of Commissions, # <u>9</u> Exhibit 8–Scoop Receivership–Quest Energy, # <u>10</u> Exhibit 9–Categorization and Summary of WGK Costs, # <u>11</u> Exhibit 10–Attorney Fee Schedule, # <u>12</u> Exhibit 11–Scoop Legal Team–Scoop Capital, LLC, # <u>13</u> Exhibit 12–Scoop Legal Team–Recovery from Investors, # <u>14</u> Exhibit 13–Scoop Legal Team–Recovery of Assets from C. and N. Moody, # <u>15</u> Exhibit 14–Scoop Legal Team–Recovery of Commissions, # <u>16</u> Exhibit 15–Scoop Legal Team–Quest Energy, # <u>17</u> Exhibit 16–PDR Certified Public Accountants, # <u>18</u> Exhibit 17–Riverside Financial Group, # <u>19</u> Exhibit 18–E–Hounds, Inc., # <u>20</u> Exhibit 19–The RWJ Group, LLC, # <u>21</u> Exhibit 20–Yip Associates, # <u>22</u> Exhibit 21–EIM Consulting, LLC, # <u>23</u> Exhibit 22–The Taylor Law Offices, PC, # <u>24</u> Exhibit

			23–Wheeler Fairman & Kelley, CPA, # <u>25</u> Exhibit 24–Allen Dell, PA, # <u>26</u> Exhibit 25–Kirby Noonan Lance & Hoge, LLP, # <u>27</u> Exhibit 26–Klar & Associates, # <u>28</u> Exhibit 27–Reminger & Co, LPA, # <u>29</u> Exhibit 28–Briggs and Morgan, PA, # <u>30</u> Exhibit 29–Brock & Brock, PLLC, # <u>31</u> Exhibit 30–Goetz Baldwin and Geddes, # <u>32</u> Exhibit 31–Stichter Riedel Blain & Prosser PA, # <u>33</u> Exhibit 32–Scott, Douglass & McConnico, LLP, # <u>34</u> Exhibit 33–Proposed Order)(Morello, Gianluca) (Entered: 11/14/2013)
11/22/2013	<u>1087</u>		ORDER granting <u>1085</u> Receiver's Motion to Approve Third Interim Distribution. Signed by Judge Richard A. Lazzara on 11/22/2013. (SKH) (Entered: 11/22/2013)
11/25/2013	<u>1088</u>		Unopposed MOTION for Settlement <i>re: Wiand, as Receiver v. Donald Rowe, et al. (8:10-cv-245), specifically, settlement with Band Weintraub, P.L.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 11/25/2013)
11/26/2013	<u>1089</u>		ORDER ATTACHED granting <u>1088</u> Receiver's Motion for Settlement with Band Weintraub, P.L. and associated with Case no. 8:10-cv-245-T-17MAP. Signed by Judge Richard A. Lazzara on 11/26/2013. (CCB) (Entered: 11/26/2013)
11/26/2013	<u>1090</u>		Unopposed MOTION for Settlement <i>re: Wiand, as Receiver v. Bart Leereveld, Reinhardt D. Damm, Dencora Services and Management Corporation, and K2 Hideaway, LLC, Case No. 12-3774 CA (20th Jud. Cir.)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 11/26/2013)
11/26/2013	<u>1091</u>		ORDER granting <u>1086</u> Unopposed Receiver's Fifteenth Interim Motion for Order Awarding Fees, Costs and Reimbursement of Costs to Receiver and His Professionals. Signed by Judge Richard A. Lazzara on 11/26/2013. (SKH) (Entered: 11/26/2013)
11/26/2013	<u>1092</u>		ORDER ATTACHED granting Receiver's Motion to Approve Settlement <u>1090</u> . The Court approves the written settlement agreement attached to the motion regarding the K-2 Hideaway action. Signed by Judge Richard A. Lazzara on 11/26/2013. (SKH) (Entered: 11/26/2013)

12/17/2013	<u>1093</u>		ORDER of USCA: Motion to strike filed by Appellant Quest Energy Management Group, Inc. is DENIED as to <u>1027</u> Notice of appeal filed by Quest Energy Management Group, Inc. EOD: 12/13/13; USCA number: 13-12778-FF. (JNB) (Entered: 12/17/2013)
12/23/2013	<u>1094</u>		Unopposed MOTION for Settlement <i>re: (1) Harvey A. Gilbert and Deanne E. Gilbert, as Co-Trustees of the Gilbert Family Trust, (2) Melinda Munson and Mark Munson, (3) Munson Family Partners, Ltd., (4) Peter Roby and Katherine Roby, (5) Rodney Nigel Turner, (6) Louis Wang, (7) Charles Hailey, (8) Paul Swenson, (9) Gregg Weinberg, as Trustee of the Commonwealth Radiology, PC PSP, (10) John D. Whitlock, as Trustee of the W.W. Whitlock PC Pension Trust, and (11) W.W. Whitlock Foundation</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreements)(Lamont, Michael) (Entered: 12/23/2013)
12/26/2013	<u>1095</u>		ORDER ATTACHED granting <u>1094</u> Receiver's Motion for Settlement with multiple parties. Signed by Judge Richard A. Lazzara on 12/26/2013. (CCB) (Entered: 12/26/2013)
12/31/2013	<u>1096</u>		Unopposed MOTION for Ana T. Barnett, Esq. to withdraw as attorney by TRSTE, Inc., Wells Fargo Bank, N.A.. (Barnett, Ana) (Entered: 12/31/2013)
12/31/2013	<u>1097</u>		Unopposed MOTION for miscellaneous relief, specifically for Order (1) Authorizing Receiver to Execute and Submit Amended Tax Return of Arthur Nadel; (2) Directing the IRS to Accept the Tax Return; (3) Directing IRS to Deliver any Tax Return to Receiver; and (4) Authorizing Receiver to Negotiate and Deposit any Tax Refund Payable to Arthur Nadel by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order)(Morello, Gianluca) (Entered: 12/31/2013)
01/02/2014	1098		ENDORSED ORDER granting <u>1096</u> Unopposed Motion for Ana T. Barnett, Esq. to withdraw as attorney by TRSTE, Inc., Wells Fargo Bank, N.A.. Signed by Judge Richard A. Lazzara on 1/2/2014. (DMB) (Entered: 01/02/2014)
01/14/2014	<u>1099</u>		Unopposed MOTION for Settlement <i>re: Wiand, as Receiver v. Donald Rowe, et al. (8:10-cv-245), specifically, settlement with Ty Hardin and Choice Direct Mail, Inc.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 01/14/2014)

			01/14/2014)
01/15/2014	<u>1100</u>		ORDER granting <u>1097</u> Motion for order authorizing the receiver to execute and submit an amended form 1040X income tax return for Arthur Nadel to the IRS. Signed by Judge Richard A. Lazzara on 1/15/2014. (MSS) (Entered: 01/15/2014)
01/28/2014	<u>1101</u>		MOTION for clarification re <u>1100</u> Order on Motion for Miscellaneous Relief by United States Internal Revenue Service. (Harwell, Lacy) (Entered: 01/28/2014)
02/03/2014	<u>1102</u>		ORDER granting <u>1099</u> Receiver's Motion to Approve Settlement. Signed by Judge Richard A. Lazzara on 2/3/2014. (SKH) (Entered: 02/03/2014)
02/04/2014	<u>1103</u>		FINAL JUDGMENT in favor of Burton W. Wiand against Choice Direct Mail, Inc., Ty Hardin. See judgment for details. (Signed by Deputy Clerk) (BSN) (Entered: 02/04/2014)
02/04/2014	<u>1104</u>		RESPONSE to Motion re <u>1101</u> MOTION for clarification re <u>1100</u> Order on Motion for Miscellaneous Relief filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 02/04/2014)
02/04/2014	<u>1105</u>		ORDER ATTACHED granting to a limited extent <u>1101</u> Motion for Clarification. Signed by Judge Richard A. Lazzara on 2/4/2014. (CCB) (Entered: 02/04/2014)
03/07/2014	<u>1106</u>		STATUS report <i>Receiver's Fifteenth Interim Report (9/1/13 – 1/31/14)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Receivership Assets Sold or Otherwise Disposed, # <u>3</u> Exhibit C – Chris Moody's Assets, # <u>4</u> Exhibit D – Neil Moody's Assets)(Morello, Gianluca) (Entered: 03/07/2014)
03/07/2014	<u>1107</u>		Unopposed MOTION for Settlement <i>re: Wiand, as Receiver v. Donald Rowe, et al. (8:10-cv-245), specifically, settlement with Band Gates, P.L.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Morello, Gianluca) (Entered: 03/07/2014)
03/07/2014	<u>1108</u>		ORDER ATTACHED granting <u>1107</u> the Receiver's Motion for Settlement with Band Gates, PL, and associated with Case no. 8:10-cv-245-T-17MAP. Signed by Judge Richard A. Lazzara on 3/7/2014. (CCB) (Entered: 03/07/2014)
03/13/2014	<u>1109</u>		Unopposed MOTION for miscellaneous relief,

			specifically for approval of private sale of the assets of Tradewind, LLC by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Morello, Gianluca) (Entered: 03/13/2014)
03/27/2014	<u>1110</u>		ORDER granting <u>1109</u> Receiver's Verified Motion for Approval of Private Sale of the Assets of Tradewind, LLC. Signed by Judge Richard A. Lazzara on 3/27/2014. (SKH) (Entered: 03/27/2014)
04/09/2014	<u>1111</u>		MOTION for Raymond J. Rotella of Kosto & Rotella P.A. to withdraw as attorney by First National Bank of Albany/Breckenridge. (Rotella, Raymond) (Entered: 04/09/2014)
04/10/2014	1112		ENDORSED ORDER granting <u>1111</u> Motion to Withdraw as Attorney. Raymond J. Rotella of Kosto & Rotella P.A. is relieved of any further representation as attorney by First National Bank of Albany/Breckenridge. Signed by Judge Richard A. Lazzara on 4/10/2014. (SKH) (Entered: 04/10/2014)
04/10/2014	<u>1113</u>		Unopposed MOTION for miscellaneous relief, specifically to Approve Fourth Interim Distribution and Increase Certain Reserves by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Distribution Schedule, # <u>2</u> Exhibit B – Reserves, # <u>3</u> Exhibit C – Proposed Order)(Morello, Gianluca) (Entered: 04/10/2014)
04/24/2014	<u>1114</u>		ORDER granting <u>1113</u> Unopposed Motion to Approve Fourth Interim Distribution. Signed by Judge Richard A. Lazzara on 4/24/2014. (SKH) (Entered: 04/24/2014)
05/14/2014	<u>1115</u>		Unopposed MOTION for miscellaneous relief, specifically for leave to retain Whitehorse Partners, LLC to Market and Sell Quest Energy Management Group, Inc. by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Morello, Gianluca) (Entered: 05/14/2014)
05/15/2014	<u>1116</u>		ORDER ATTACHED denying without prejudice <u>1115</u> Motion for Leave to Retain Whitehorse Partners LLC to Market and Sell Quest Energy Management Group, Inc. Signed by Judge Richard A. Lazzara on 5/15/2014. (CCB) (Entered: 05/15/2014)
05/23/2014	<u>1117</u>		STATUS report <i>re Quest Energy Management Group, Inc. (Second Report)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A (Well Status Report), # <u>2</u> Exhibit B (SFAR))(Morello, Gianluca) (Entered: 05/23/2014)

			05/23/2014)
05/30/2014	<u>1118</u>		MOTION for miscellaneous relief, specifically for Order Overruling Objections to Determinations of Claim Numbers 462, 463, 464, 465, 466, and 467 and Awarding Sanctions in the Form of Attorney Fees and Costs by Burton W. Wiand. (Morello, Gianluca) (Entered: 05/30/2014)
05/30/2014	<u>1119</u>		DECLARATION of Gianluca Morello re <u>1118</u> MOTION for miscellaneous relief, specifically for Order Overruling Objections to Determinations of Claim Numbers 462, 463, 464, 465, 466, and 467 and Awarding Sanctions in the Form of Attorney Fees and Costs by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K)(Morello, Gianluca) (Entered: 05/30/2014)
06/04/2014	<u>1120</u>		NOTICE of supplemental authority re <u>1118</u> MOTION for miscellaneous relief, specifically for Order Overruling Objections to Determinations of Claim Numbers 462, 463, 464, 465, 466, and 467 and Awarding Sanctions in the Form of Attorney Fees and Costs , <u>1119</u> Declaration by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – 11th Circuit Opinion)(Morello, Gianluca) (Entered: 06/04/2014)
06/18/2014	<u>1121</u>		ORDER ATTACHED granting <u>1118</u> Motion for Order Overruling Objections to Determinations of Claim Numbers 462, 463, 464, 465, 466, and 467 and Awarding Sanctions in the Form of Attorney Fees and Costs. In accordance with attached order, Receiver to file documentation on or before 7/2/2014; Claimant to file response to that documentation no later than 7/17/2014; and Clerk to send copy of attached order to Claimant. Signed by Judge Richard A. Lazzara on 6/18/2014. (CCB) (Entered: 06/18/2014)
06/23/2014	<u>1122</u>		MOTION to Vacate <u>1121</u> Order on Motion for Miscellaneous Relief by Vernon M. Lee. (Attachments: # <u>1</u> Mailing Envelope)(BSN) (Entered: 06/24/2014)
06/24/2014	1123		ENDORSED ORDER denying <u>1122</u> Motion to Vacate Order on Motion for Miscellaneous Relief <u>1121</u> by Vernon M. Lee. Signed by Judge Richard A. Lazzara on 6/24/2014. (SKH) (Entered: 06/24/2014)
06/25/2014	<u>1124</u>		Unopposed MOTION for Attorney Fees <i>Receiver's</i>

			<p><i>Sixteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals (September 1, 2013 through January 31, 2014) by Burton W. Wiand.</i></p> <p>(Attachments: # <u>1</u> Exhibit 1 – Standardized Fund Accounting Report, # <u>2</u> Exhibit 2 – Part 1 – The Receiver's Fifteenth Interim Report, # <u>3</u> Exhibit 2 – Part 2 – The Receiver's Fifteenth Interim Report, # <u>4</u> Exhibit 3 – Prior Interim Motions for Orders Awarding Fees, # <u>5</u> Exhibit 4 – Scoop Receivership – Representation of Scoop Receivership, # <u>6</u> Exhibit 5 – Scoop Receivership – Recovery from Investors, # <u>7</u> Exhibit 6 – Scoop Receivership – Recovery of Assets from N. and C. Moody, # <u>8</u> Exhibit 7 – Scoop Receivership – Recovery of Commissions, # <u>9</u> Exhibit 8 – Scoop Receivership – Quest Energy Management Group, Inc., # <u>10</u> Exhibit 9 – Categorization and Summary of Costs Incurred by WGK, # <u>11</u> Exhibit 10 – Attorney Fee Schedule, # <u>12</u> Exhibit 11 – Scoop Legal Team – Scoop Capital, LLC Receivership, # <u>13</u> Exhibit 12 – Scoop Legal Team – Recovery from Investors, # <u>14</u> Exhibit 13 – Scoop Legal Team – Recovery of Assets from N. and C. Moody, # <u>15</u> Exhibit 14 – Scoop Legal Team – Recovery of Commissions, # <u>16</u> Exhibit 15 – Scoop Legal Team – Quest Energy Management Group, Inc., # <u>17</u> Exhibit 16 – PDR Certified Public Accountants, # <u>18</u> Exhibit 17 – E-Hounds, Inc., # <u>19</u> Exhibit 18 – The RWJ Group, LLC, # <u>20</u> Exhibit 19 – Yip Associates, # <u>21</u> Exhibit 20 – Kirby Noonan Lance and Hoge, # <u>22</u> Exhibit 21 – Reminger Co., L.P.A., # <u>23</u> Exhibit 22 – Schiff Hardin LLP, # <u>24</u> Exhibit 23 – Brock and Brock, # <u>25</u> Exhibit 24 – Rifkin Weiner Livingston Levitan and Silver, LLC, # <u>26</u> Exhibit 25 – Maples, # <u>27</u> Exhibit 26 – Scott Douglass and McConnico LLP, # <u>28</u> Exhibit 27 – Proposed Order)(Morello, Gianluca) (Entered: 06/25/2014)</p>
06/27/2014	<u>1125</u>		DECLARATION of Gianluca Morello re <u>1121</u> Order on Motion for Miscellaneous Relief by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Attorney Fee Breakdown)(Morello, Gianluca) (Entered: 06/27/2014)
06/27/2014	<u>1126</u>		NOTICE by Burton W. Wiand re <u>1125</u> Declaration <i>Certificate of Service</i> (Morello, Gianluca) (Entered: 06/27/2014)
07/11/2014	<u>1127</u>		ORDER granting <u>1124</u> Unopposed Receiver's Sixteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and his Professionals. Signed by Judge Richard A.

			Lazzara on 7/11/2014. (SKH) (Entered: 07/11/2014)
07/14/2014	<u>1128</u>		Unopposed MOTION for miscellaneous relief, specifically for Permission to Prosecute Appeal of <i>the Schneiderman Action</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Morello, Gianluca) (Entered: 07/14/2014)
07/16/2014	<u>1129</u>		ORDER ATTACHED granting <u>1128</u> Motion for Permission to Prosecute Appeal. Signed by Judge Richard A. Lazzara on 7/16/2014. (CCB) (Entered: 07/16/2014)
07/16/2014	<u>1130</u>		MOTION for miscellaneous relief, specifically Overrule re <u>1119</u> Declaration of Ganluca Morello in Support of Attorney Fees and Costs by Vernon M. Lee. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B pt. 1, # <u>3</u> Exhibit B pt. 2, # <u>4</u> Exhibit B pt. 3, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K)(BSN) (Entered: 07/18/2014)
07/18/2014	<u>1131</u>		ORDER ATTACHED denying <u>1130</u> Claimant's Motion for Miscellaneous Relief. The Clerk is directed to enter judgment against Claimant Vernon M. Lee in accordance with the attached order. Signed by Judge Richard A. Lazzara on 7/18/2014. (CCB) (Entered: 07/18/2014)
07/21/2014	<u>1132</u>		JUDGMENT in favor of Burton W. Wiand for the amount of \$6,477.30 and against Vernon M. Lee (Signed by Deputy Clerk) (BSN) (Entered: 07/21/2014)
07/25/2014	<u>1133</u>		Unopposed MOTION for miscellaneous relief, specifically for (1) Possession of Brokerage Accounts Controlled by Arthur Nadel; (2) Authorization to Relinquish Remaining Brokerage Accounts; and (3) Partial Modification of Asset Freeze by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Proposed Order)(Morello, Gianluca) (Entered: 07/25/2014)
07/28/2014	<u>1134</u>		ORDER granting <u>1133</u> Motion for Possession of Brokerage Accounts Controlled by Arthur Nadel; Authorization to Relinquish Remaining Brokerage Accounts; and Partial Modification of Asset Freeze. Signed by Judge Richard A. Lazzara on 7/28/2014. (SKH) (Entered: 07/28/2014)
08/12/2014	<u>1135</u>		STATUS report <i>The Receiver's Sixteenth Interim Report (2/1/14 – 6/30/14)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Standardized Fund Accounting Report, # <u>2</u> Exhibit B – Receivership

			Assets Sold or Otherwise Disposed, # <u>3</u> Exhibit C – Chris Moody's Assets, # <u>4</u> Exhibit D – Neil Moody's Assets)(Morello, Gianluca) (Entered: 08/12/2014)
08/15/2014	<u>1136</u>		Unopposed MOTION for miscellaneous relief, specifically for Permission to Appeal Order Granting Summary Judgment Regarding Garnished Annuity <i>in the Rowe action</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Order entered July 11, 2014 (Doc. 383))(Morello, Gianluca) (Entered: 08/15/2014)
08/19/2014	<u>1137</u>		ORDER ATTACHED granting <u>1136</u> Motion for Permission to Appeal Order in 8:10-cv-245-T-17MAP. Signed by Judge Richard A. Lazzara on 8/19/2014. (CCB) (Entered: 08/19/2014)
09/25/2014	<u>1138</u>		ORDER of USCA: Motion for certificate of appealability construed from the notice of appeal filed by Appellant Onique E. White is DENIED. [7115039-2]; Motion to proceed in forma pauperis filed by Appellant Onique E. White is DENIED as MOOT as to <u>1027</u> Notice of appeal filed by Quest Energy Management Group, Inc.. EOD: 9/25/14; USCA number: 13-12778-FF. (JNB) (Entered: 09/25/2014)
09/26/2014	<u>1139</u>		PUBLISHED ORDER of USCA: Motion to dismiss appeal for lack of subject matter jurisdiction filed by Appellee Burton W. Wiand is GRANTED as to <u>1027</u> Notice of appeal filed by Quest Energy Management Group, Inc.. EOD: 9/26/14; USCA number: 13-12778-FF. (JNB) (Entered: 09/26/2014)
10/01/2014	<u>1140</u>		Receiver's Unopposed Seventeenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals (February 1, 2014 through June 30, 2014 by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1–Standardized Fund Accounting Report, # <u>2</u> Exhibit 2–Part 1–Receiver's Sixteenth Interim Report, # <u>3</u> Exhibit 2–Part 2–Receiver's Sixteenth Interim Report, # <u>4</u> Exhibit 3–Prior Interim Motions for Orders Awarding Fees, # <u>5</u> Exhibit 4–Scoop Receivership–Rep of Scoop Receivership, # <u>6</u> Exhibit 5–Scoop Receivership–Recovery from Investors, # <u>7</u> Exhibit 6–Scoop Receivership–Recovery of Assets from Moodys, # <u>8</u> Exhibit 7–Scoop Receivership–Recovery of Commissions, # <u>9</u> Exhibit 8–Scoop

			Receivership–Quest Energy Mgmt Group, # <u>10</u> Exhibit 9–Categorization and Summary of WGK Costs, # <u>11</u> Exhibit 10–Attorney Fee Schedule, # <u>12</u> Exhibit 11–Scoop Legal Team–Scoop Capital LLC Receivership, # <u>13</u> Exhibit 12–Scoop Legal Team–Recovery from Investors, # <u>14</u> Exhibit 13–Scoop Legal Team–Recovery of Assets from Moodys, # <u>15</u> Exhibit 14–Scoop Legal Team–Recovery of Commissions, # <u>16</u> Exhibit 15–Scoop Legal Team–Quest Energy Mgmt Group, # <u>17</u> Exhibit 16–PDR Certified Public Accountants, # <u>18</u> Exhibit 17–E–Hounds, Inc., # <u>19</u> Exhibit 18 Riverside Financial Group, # <u>20</u> Exhibit 19–The RWJ Group, LLC, # <u>21</u> Exhibit 20–Yip Associates, # <u>22</u> Exhibit 21–Brock & Brock PLLC, # <u>23</u> Exhibit 22–Maples, # <u>24</u> Exhibit 23–Reminger Co., LPA, # <u>25</u> Exhibit 24–Schiff Hardin LLP, # <u>26</u> Exhibit 25–Scott, Douglas & McConnico, LLP, # <u>27</u> Exhibit 26–Proposed Order)(Morello, Gianluca) Modified text on 10/2/2014 (KMB). (Entered: 10/01/2014)
10/21/2014	<u>1141</u>		MOTION for John A. Rine to withdraw as attorney by Jeff Downey, Paul Downey, Quest Energy Management Group, Inc.. (Rine, John) (Entered: 10/21/2014)
10/22/2014	1142		ENDORSED ORDER granting <u>1141</u> Motion to Withdraw as Attorney. Attorney John Austin Rine is relieved of any further responsibility concerning Jeff Downey, Paul Downey, and Quest Energy Management Group, Inc. Signed by Judge Richard A. Lazzara on 10/22/2014. (SKH) (Entered: 10/22/2014)
10/24/2014	<u>1143</u>		ORDER granting <u>1140</u> Receiver's Unopposed Motion for Attorney Fees and Costs. Signed by Judge Richard A. Lazzara on 10/24/2014. (SKH) (Entered: 10/24/2014)
10/28/2014	<u>1144</u>		Unopposed MOTION for miscellaneous relief, specifically for leave to retain Whitehorse Partners, LLC to Market and Sell Quest Energy Management Group, Inc. ( <i>Renewed</i> ) by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Marketing Engagement Agreement, # <u>2</u> Exhibit B – Additional materials re WhiteHorse)(Morello, Gianluca) (Entered: 10/28/2014)
11/04/2014	<u>1145</u>		Third Interim Report on Quest Energy Management, Inc. (May 24, 2014 to November 4, 2014) by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Status of wells, # <u>2</u> Exhibit B – Cash Accounting Report)(Morello, Gianluca) Modified text on

			11/5/2014 (KMB). (Entered: 11/04/2014)
11/05/2014			FEES paid by Van Operating, Ltd. (Filing fee \$10.00 receipt number TPA26592) Balance due \$Greg Wilkes (AG) (Entered: 11/07/2014)
11/10/2014	<u>1146</u>		MOTION for Gregory M. Wilkes to appear pro hac vice by Van Operating, Ltd.. (Colton, Roberta) (Entered: 11/10/2014)
11/12/2014	1147		ENDORSED ORDER granting <u>1146</u> Gregory M. Wilkes' Motion to Appear pro hac vice. Signed by Judge Richard A. Lazzara on 11/12/2014. (CCB) (Entered: 11/12/2014)
11/12/2014	<u>1148</u>		ORDER granting <u>1144</u> Motion for Leave to retain Whitehorse Partners, LLC to Market and Sell Quest Energy Management Group, Inc. (Renewed) by Burton W. Wiand. Signed by Judge Richard A. Lazzara on 11/12/2014. (SKH) (Entered: 11/12/2014)
11/12/2014	<u>1149</u>		NOTICE by Van Operating, Ltd. re 1029 Order on motion to appear pro hac vice <i>Notice of Mark A. Platt's Withdrawal from Case and Request to Stop Electronic and E-Mail Notices</i> (Colton, Roberta) (Entered: 11/12/2014)
11/17/2014	<u>1150</u>		Verified MOTION for Approval of Sale of Real Property Located in Fairview, Buncombe County, North Carolina by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Appraisal, # <u>3</u> Exhibit 3 – Purchase and Sale Agreement, # <u>4</u> Exhibit 4 – Receiver's Deed, # <u>5</u> Exhibit 5 – Orders)(Morello, Gianluca) Modified text on 11/18/2014 (KMB). (Entered: 11/17/2014)
11/18/2014	<u>1151</u>		ORDER granting <u>1150</u> Motion for sale of real property in Fairview, Buncombe County, North Carolina. Signed by Judge Richard A. Lazzara on 11/18/2014. (SKH) (Entered: 11/18/2014)
12/03/2014	<u>1152</u>		NOTICE to counsel of Local Rule 2.02 (signed by deputy clerk). (KMB) (Entered: 12/03/2014)
12/05/2014	<u>1153</u>		MANDATE of USCA as to <u>1027</u> Notice of appeal filed by Quest Energy Management Group, Inc. Issued as Mandate: 12/5/14 USCA number: 13-12778-FF. (JNB) (Entered: 12/05/2014)
12/17/2014	<u>1154</u>		STATUS report <i>The Receiver's Seventeenth Interim Report (7/1/14 – 10/31/14)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A–Standardized Fund Accounting Report, # <u>2</u> Exhibit B–Receivership Assets Sold or Otherwise Disposed, # <u>3</u> Exhibit

			C–Chris Moody's Assets, # <u>4</u> Exhibit D–Neil Moody's Assets)(Morello, Gianluca) (Entered: 12/17/2014)
12/22/2014	<u>1155</u>		Unopposed MOTION for Attorney Fees <i>Receiver's Eighteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals (July 1, 2014 through October 31, 2014)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Standardized Fund Accounting Report, # <u>2</u> Exhibit 2 – Part 1 – The Receiver's Seventeenth Interim Report, # <u>3</u> Exhibit 2 – Part 2 – The Receiver's Seventeenth Interim Report, # <u>4</u> Exhibit 3 – Prior Interim Motions for Orders Awarding Fees, # <u>5</u> Exhibit 4 – Scoop Receivership – Representation of Scoop Receivership, # <u>6</u> Exhibit 5 – Scoop Receivership – Recovery from Investors, # <u>7</u> Exhibit 6 – Scoop Receivership – Recovery of Assets from N. and C. Moody, # <u>8</u> Exhibit 7 – Scoop Receivership – Recovery of Commissions, # <u>9</u> Exhibit 8 – Scoop Receivership – Quest Energy Management Group, Inc., # <u>10</u> Exhibit 9 – Scoop Receivership – Appeal of R. Schneiderman, et al., # <u>11</u> Exhibit 10 – Categorization and Summary of All WGK Costs, # <u>12</u> Exhibit 11 – Attorney Fee Schedule, # <u>13</u> Exhibit 12 – Scoop Legal Team – Scoop Capital, LLC Receivership, # <u>14</u> Exhibit 13 – Scoop Legal Team – Recovery from Investors, # <u>15</u> Exhibit 14 – Scoop Legal Team – Recovery of Assets from Moodys, # <u>16</u> Exhibit 15 – Scoop Legal Team – Recovery of Commissions, # <u>17</u> Exhibit 16 – Scoop Legal Team – Quest Energy Management Group, Inc., # <u>18</u> Exhibit 17 – Scoop Legal Team – Appeal of R. Schneiderman, et al., # <u>19</u> Exhibit 18 – PDR Certified Public Accountants, # <u>20</u> Exhibit 19 – E–Hounds, Inc., # <u>21</u> Supplement 20 – Riverside Financial Group, # <u>22</u> Exhibit 21 – The RWJ Group, LLC, # <u>23</u> Exhibit 22 – Yip Associates, # <u>24</u> Exhibit 23 – Maples and Calder, # <u>25</u> Exhibit 24 – Reminger Co., L.P.A., # <u>26</u> Exhibit 25 – Schiff Hardin LLP, # <u>27</u> Exhibit 26 – Scott Douglass and McConnico LLP, # <u>28</u> Exhibit 27 – Law Office of Dick Harris and Ashton Anderson, # <u>29</u> Exhibit 28 – Proposed Order)(Morello, Gianluca) (Entered: 12/22/2014)
01/09/2015	<u>1156</u>		ORDER ATTACHED granting <u>1155</u> Unopposed Receiver's Eighteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals. Signed by Judge Richard A. Lazzara on 1/9/2015. (CCB) (Entered: 01/09/2015)

			01/09/2015)
02/12/2015	<u>1157</u>		Unopposed MOTION for Settlement <i>re: Wiand, as Receiver v. Kathryn Lawrence (8:10-cv-181)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 02/12/2015)
02/13/2015	<u>1158</u>		ORDER ATTACHED granting <u>1157</u> Receiver's Motion for Settlement with Kathryn V. Lawrence and associated with Case No. 8:10-cv-181-T-17MAP. Signed by Judge Richard A. Lazzara on 2/13/2015. (CCB) (Entered: 02/13/2015)
03/05/2015	<u>1159</u>	176	MOTION for Release of Funds <i>Turnover of Sale Proceeds</i> by Branch Banking & Trust Co. Successor to Colonial Bank NA. (Garbett, David) (Entered: 03/05/2015)
03/05/2015	<u>1160</u>		NOTICE by Branch Banking & Trust Co. Successor to Colonial Bank NA re <u>1159</u> MOTION for Release of Funds <i>Turnover of Sale Proceeds of Filing in Support of DE 1159</i> (Attachments: # <u>1</u> Exhibit Ex. 1 – Declaration of Richard Miller, # <u>2</u> Exhibit Ex. 2 – Declaration of David Hendrix, # <u>3</u> Exhibit Ex. 3 – Declaration of Elizabeth B. Dombovary)(Garbett, David) (Entered: 03/05/2015)
03/05/2015	<u>1161</u>		REQUEST for oral argument re <u>1160</u> Notice (Other), <u>1159</u> MOTION for Release of Funds <i>Turnover of Sale Proceeds</i> by Branch Banking & Trust Co. Successor to Colonial Bank NA. (Garbett, David) (Entered: 03/05/2015)
03/10/2015	<u>1162</u>		Unopposed MOTION for leave to appeal by Burton W. Wiand. (Smiljanich, Terry) (Entered: 03/10/2015)
03/23/2015	<u>1163</u>		RESPONSE in Opposition re <u>1159</u> MOTION for Release of Funds <i>Turnover of Sale Proceeds</i> filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 03/23/2015)
03/23/2015	<u>1164</u>		DECLARATION of Gianluca Morello re <u>1163</u> Response in Opposition to Motion by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Morello, Gianluca) (Entered: 03/23/2015)
03/25/2015	<u>1165</u>		MOTION for leave to file Reply in Support of Motion for Turnover by Branch Banking & Trust Co. Successor to Colonial Bank NA. (Garbett, David) (Entered: 03/25/2015)

03/25/2015	1166		ENDORSED ORDER granting <u>1165</u> Motion for Leave to File Reply on or before March 30, 2015. The Receiver may file a sur-reply of no more than ten (10) pages no later than April 3, 2015. Signed by Judge Richard A. Lazzara on 3/25/2015. (CCB) (Entered: 03/25/2015)
03/27/2015	<u>1167</u>		ORDER ATTACHED granting <u>1162</u> Motion for Leave to Appeal. Signed by Judge Richard A. Lazzara on 3/27/2015. (CCB) (Entered: 03/27/2015)
03/30/2015	<u>1168</u>		RESPONSE to Motion re <u>1159</u> MOTION for Release of Funds <i>Turnover of Sale Proceeds ( BBT's Reply Memorandum on Motion for Turnover of Sale Proceeds of Fairview Property)</i> filed by Branch Banking & Trust Co. Successor to Colonial Bank NA. (Garbett, David) (Entered: 03/30/2015)
04/02/2015	<u>1170</u>		Remark correspondence as to Chester Vincentz (EJC) (Entered: 04/06/2015)
04/03/2015	<u>1169</u>		RESPONSE in Opposition re <u>1159</u> MOTION for Release of Funds <i>Turnover of Sale Proceeds – Sur-reply in Further Support of Response in Opposition to Motion</i> filed by Burton W. Wiand. (Morello, Gianluca) (Entered: 04/03/2015)
04/09/2015	<u>1171</u>		MOTION for Kevin M. Eckhardt to withdraw as attorney by Fulcrum Distressed Opportunities Fund I, LP. (Eckhardt, Kevin) (Entered: 04/09/2015)
04/10/2015	1172		<b>ENDORSED ORDER granting <u>1171</u> Motion for Kevin M. Eckhardt to withdraw as attorney by Fulcrum Distressed Opportunities Fund I, LP. Signed by Judge Richard A. Lazzara on 4/10/2015. (SKH)</b> (Entered: 04/10/2015)
04/14/2015	<u>1173</u>		Unopposed MOTION for Approval of Sale of Real Property Located in Sarasota, Sarasota County, Florida by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Appraisal, # <u>3</u> Exhibit 3 – Appraisal, # <u>4</u> Exhibit 4 – Appraisal, # <u>5</u> Exhibit 5 – Purchase and Sale Agreement, # <u>6</u> Exhibit 6 – Receiver's Deed)(Morello, Gianluca) Modified on 4/15/2015 (KMB). (Entered: 04/14/2015)
04/15/2015	<u>1174</u>	201	<b>ORDER ATTACHED denying <u>1159</u> Motion for Release of Funds. Signed by Judge Richard A. Lazzara on 4/15/2015. (CCB)</b> (Entered: 04/15/2015)
04/15/2015	<u>1175</u>		Unopposed Amended MOTION for Approval of Sale of Real Property Located in Sarasota, Sarasota County, Florida by Burton W. Wiand. (Attachments:

			# <u>1</u> Exhibit 1 – Amended Proposed Order, # <u>2</u> Exhibit 2 – Appraisal, # <u>3</u> Exhibit 3 – Appraisal, # <u>4</u> Exhibit 4 – Appraisal, # <u>5</u> Exhibit 5 – Purchase and Sale Agreement, # <u>6</u> Exhibit 6 – Receiver's Deed)(Morello, Gianluca) Modified relief and text on 4/15/2015 (KMB). (Entered: 04/15/2015)
04/15/2015	1176		<b>ENDORSED ORDER denying as moot <u>1173</u> Motion for Order of Sale. Signed by Judge Richard A. Lazzara on 4/15/2015. (CCB)</b> (Entered: 04/15/2015)
04/29/2015	<u>1177</u>		<b>ORDER granting <u>1175</u> Unopposed Amended Motion for Approval of Sale of Real Property Located in Sarasota, Sarasota County, Florida. Signed by Judge Richard A. Lazzara on 4/29/2015. (SKH)</b> (Entered: 04/29/2015)
05/12/2015	<u>1178</u>	209	NOTICE OF INTERLOCUTORY APPEAL as to <u>1174</u> Order on Motion for Release of Funds by Branch Banking & Trust Co. Successor to Colonial Bank NA. Filing fee not paid. (Attachments: # <u>1</u> Exhibit Dkt. 1174 – Order)(Dombovary, Elizabeth) Modified text on 5/13/2015 (KMB). (Entered: 05/12/2015)

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.

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**BB&T'S MOTION FOR TURNOVER OF SALE PROCEEDS OF FAIRVIEW  
PROPERTY SUBJECT TO MORTGAGE INTEREST  
AND SUPPORTING MEMORANDUM OF LAW<sup>1</sup>**

Secured Creditor, BB&T, moves the Court for entry of an order directing the Receiver to turn over \$267,720.59, the segregated net proceeds of the sale of the Fairview Property (as defined below), even if Receiver did not timely receive BB&T's formal secured proof of claim on BB&T's purchase-money mortgage loan to Arthur and Marguerite Nadel ("Nadels"). The

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<sup>1</sup> Unless otherwise indicated, all emphasis and brackets are added. "BB&T" is Branch Banking and Trust Company. "Receiver" is Burton W. Wiand, as Receiver. "NOF" is BB&T's notice of filing in support of this motion. "GR Decl." is the Declaration of David S. Hendrix, and "Miller Decl." is the Declaration of Richard Miller and "Dombovary Decl." is the Declaration of Elizabeth B. Dombovary. Other capitalized terms are defined herein.

Court recently granted the Receiver's motion sell the Fairview Property with BB&T's mortgage lien attaching to the net proceeds, which the Receiver is holding in a segregated trust account pending the Court's ruling on BB&T's entitlement to the funds. *See* DE 1150 and 1151. This motion seeks that determination.

### INTRODUCTION

As secured creditor, BB&T's mortgage lien rides through the Receivership, even if the Receiver did not receive the proof of claim on time. Moreover, BB&T's lien should not be forfeited because the Receiver became aware of BB&T's secured claim in early 2009, well before the September 2, 2010 claims deadline, and reported it to the Court and creditors. The Receiver continued to report the secured claim for five years (from 2009-2014) in 15 Interim Receiver Reports and website marketing of the Fairview Property, all disclosing the estate's liability to BB&T of "approximately \$248,560.62" secured by the first lien.

BB&T intended to submit its proof of claim on time, and if the Receiver did not receive it, the delivery failure was caused by excusable neglect. Before the claims deadline, BB&T prepared and signed the proof of claim and intended timely delivery, just as BB&T was doing at the same time on a secured proof of claim on a separate mortgage loan in default, which BB&T timely delivered to the Receiver. From January 2011 to April 25, 2012, BB&T's counsel, unaware that the Receiver had not received the subject claim, consistently advised the Receiver's counsel of BB&T's lien on the Fairview Property for the outstanding loan. During this period, the Receiver's counsel did not indicate that the Receiver had not received the proof of claim.

On April 26, 2012, the Receiver's counsel advised BB&T's counsel, for the first time, that the Receiver had no evidence of receipt of the claim. BB&T's counsel immediately emailed the proof of claim and supporting documents. Thereafter, the Receiver never filed any motion

seeking review of any determination on the claim. To the contrary, from May 2012 through November 2014, the Receiver filed six additional Interim Reports and advertised the sale of the Fairview Property, continuing to report the estate's liability on the BB&T loan "of approximately \$248,560.62" secured by the first lien.

BB&T acted in good faith at all times. The delivery failure, if it occurred, was not calculated or strategic; it resulted from excusable inadvertence. Honoring the secured claim would not prejudice the estate as the funds have been segregated since the November 2014 sale and any remaining distributions to unsecured creditors do not include the funds. Relief should be granted to BB&T under these unique circumstances.

## **FACTUAL BACKGROUND**

### **A. Fairview Loan and Laurel Preserve Loan**

#### **1. The Fairview Loan**

On June 14, 2004, BB&T made a purchase-money mortgage loan of \$268,000 ("Fairview Loan") to enable the Nadels to buy a second residence and associated property at 131 Garren Creek Road, Fairview, North Carolina 28730 ("Fairview Property"). The Nadels delivered a note ("Note") and first-priority Deed of Trust ("Mortgage") as collateral. NOF at Exhibit 1, Miller Decl. ¶¶ 5-6, Exhibits A and B.<sup>2</sup> In 2009, following the Nadels' default, BB&T sent the file to North Carolina counsel for foreclosure. *Id.* at ¶ 7. After BB&T learned of the Receivership, it halted the foreclosure. *Id.* at ¶ 8.

#### **2. The Laurel Preserve Loan**

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<sup>2</sup> As discussed below, the Receiver also filed the Fairview loan documents on March 27, 2009 with his motion to take title to and possession of the Fairview Property. DE 99.

BB&T also made a \$394,000 commercial mortgage loan to Laurel Preserve LLC (“Laurel Preserve Loan”), secured by a first mortgage on a cottage home located in Buncombe County, North Carolina (“Laurel Preserve Property”). *Id.* at ¶ 9, Exhibits C and D. This loan is not the subject of this motion, although facts concerning it are pertinent to show BB&T’s intent to submit on a timely basis the proof of claim on the Fairview Loan.

### **3. Gray Robinson’s Retention**

In 2009, BB&T retained Gray Robinson, P.A. (“GR”) for the limited purpose of conducting specific legal research regarding the Receivership and the two properties held by the Receiver, to provide BB&T with information as to the filing of proofs of claim and then to monitor the sales effort and ultimate sale of the two properties and to report the sales information to BB&T. This limited representation included authority to communicate with Receiver’s counsel regarding the marketing and sale of the two properties. NOF, Exhibit 2, GR Decl. at ¶ 4. GR did not enter an appearance for BB&T in the Receivership.

### **B. Receiver Takes Title to Fairview Property Shortly After Receivership and Reports Fairview Loan and Collateral**

Shortly after his appointment in early 2009, the Receiver discovered that the Nadels had purchased the Fairview Property in part with proceeds of the fraud. *See* DE 1150 at 4. On March 27, 2009, the Receiver moved for possession of and title to the Fairview Property (“Motion for Title”), submitting a supporting declaration (“Receiver’s Declaration”) disclosing BB&T’s purchase-money enabling loan and first lien on the Fairview Property. DE 98-99. The Receiver filed the Note and Mortgage, indicating “the balance of the purchase price was paid [by the Nadels] with [the Fairview Loan].” Receiver’s Declaration at ¶ 30 and Exhibits A-C; F-G; DE 99-2, 99-3, 99-4, 99-7 and 99-8. The Receiver also disclosed the amount and date of

payments to BB&T under the Fairview Loan. Receiver's Declaration at ¶ 32. On March 30, 2009, the Court granted the Motion for Title, vesting title to and possession of the Fairview Property with the Receiver, subject to the Mortgage. DE 100.<sup>3</sup>

**C. The Receiver Reports Estate's Secured Liability on Fairview Loan Well Before Claims Deadline**

**1. Receiver's Interim Reports Before Claims Deadline**

In addition to reporting the Fairview Loan and BB&T's lien on the Fairview Property in the Motion for Title, from June 9, 2009 to August 18, 2010, the Receiver reported the estate's liability to BB&T on the Fairview Loan secured by a first lien on the Fairview Property through five Interim Reports substantially as follows:

**g. Fairview, North Carolina.**

On March 30, 2009, the Court granted the Receiver's motion (Doc. 98) for possession of property located in Fairview, North Carolina (the "**Fairview Property**"). (Doc. 100.) On June 14, 2004, Nadel and his wife purchased the Fairview Property for \$335,000.00. The Fairview Property was a secondary residence of the Nadels that is located in the mountains of North Carolina near the large property owned by Laurel Preserve, LLC (see Section V.B.3, above). **The Fairview Property has one known encumbrance: a loan with BB&T Bank on which there is a remaining balance of approximately \$248,560.62.** Parties interested in marketing or purchasing this property should contact the Receiver directly.

See Second Interim Report dated June 9, 2009, DE 141 at 36; Third Interim Report dated August 14, 2009, DE 176 at 40; Fourth Interim Report dated November 25, 2009, DE 240 at 43; Fifth

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<sup>3</sup> The Receiver did not assert that BB&T knew of the Nadels' wrongdoing when it made the Fairview Loan. Motion for Title at 5-8; Receiver's Declaration ¶ 30 and Exhibit C thereto. In recommending allowance of the Laurel Preserve POC, the Receiver acknowledged that he "has no information indicating that [BB&T] had any involvement in or notice of fraud." See DE 675 at 49. There is similarly no evidence that BB&T knew of Nadel wrongdoing when it made the Fairview Loan.

Interim Report dated March 10, 2010, DE 362 at 48;<sup>4</sup> and Sixth Interim Report dated August 18, 2010, DE 462 at 47-48.<sup>5</sup>

## **2. Receiver's Website Advertising Before Claims Deadline**

From 2009-2010, the Receiver also reported the estate's liability on the Fairview Loan and lien through advertising the property on his website, [www.nadelreceivership.com](http://www.nadelreceivership.com), DE 1150 at 6-7 (describing advertising), as follows:

Location: Fairview, Buncombe County, North Carolina

Size: 3.62 acres

Dwellings: Two-story 200 year-old farm house with over 2,500 square foot of living area; guest house

Other: Detached double garage with unfinished storage or living area on second level; detached storage/tool shed

**Liabilities: BB&T loan with a remaining balance of approximately \$248,000.00.**

NOF, Exhibit 3, Dombovary Decl. at ¶ 2, Exhibits A-C.<sup>6</sup>

## **D. The Fairview and Laurel Preserve Proofs of Claim**

Two separate BB&T departments were handling the defaulted mortgage loans—residential loan recovery was handling the Fairview Loan and commercial loan recovery was handling the Laurel Preserve Loan. BB&T's employees, rather than counsel, were tasked with submitting proofs of claims. Miller Decl. at ¶ 10; GR Decl. at ¶ 6.

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<sup>4</sup> This report also indicated that the Receiver had received two offers on the Fairview Property, one of which was too low, and the Receiver was negotiating with the other offeror.

<sup>5</sup> This report added that the offeror could not obtain financing.

<sup>6</sup> After the Receiver sold the Fairview Property in November 2014 following court approval, he removed the website advertisements, but we were able to obtain the historical website information and have included those we were able to obtain. The Receiver summarized his website advertising of the Fairview Property at DE 1150 at 6-7.

On August 24, 2010, a GR attorney emailed BB&T employees Kade Herrick (“Herrick”) and Holly Decker (“Decker”), in residential and commercial loan recovery, respectively, advising of the September 2, 2010 deadline, the procedure to submit claims, and attaching the proof of claim form. GR Decl. at ¶¶ 7-8, Exhibits A-B.

On August 27, 2010, Herrick sent GR counsel two emails, the first attaching BB&T’s proof of claim on the Fairview Loan (“Fairview POC”) completed and signed by BB&T Vice President Michael Pocisk (“Pocisk”) on that date and supporting documents, and the second indicating that Herrick was sending the Fairview POC to the Receiver via Maya M. Lockwood, Esq. (“Lockwood”). *Id.* at ¶ 9, Composite Exhibit C. The Fairview POC contained the same information already known to the Receiver, the Court and creditors, including the estate’s liability to BB&T secured by the lien.<sup>7</sup> *Id.*

On September 2, 2010, Decker emailed to Lockwood, with a copy to GR counsel, BB&T’s Proof of Claim on the Laurel Preserve Loan (“Laurel Preserve POC”), completed and signed by Decker, and supporting documents. *Id.* at ¶ 2; Exhibit D. Decker also timely delivered the original Laurel Preserve POC to Lockwood. *Id.* at Exhibit K.

**E. BB&T Believes in Good Faith that Fairview POC is Timely Submitted**

Prior to April 26, 2012, BB&T’s management overseeing the Fairview Loan believed in good faith that the Fairview POC had been timely submitted, its interests were perfected, and BB&T would receive the net proceeds of the sale of the Fairview Property. Miller Decl. at ¶ 12.<sup>8</sup> On November 18, 2010, consistent with BB&T’s understanding, the Receiver filed his

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<sup>7</sup> The Fairview POC reflects the amount owing as about \$271,000 whereas the Receiver had reported about \$268,000 as owing.

<sup>8</sup> The Receiver has denied that Lockwood received the Fairview POC by September 2, 2010.

Seventh Interim Report, noting the estate's liability to BB&T of "approximately \$248,560.62" secured by a first lien. DE 540 at 50-51.

**F. Receiver's Counsel's Communications Post-Claims Deadline with GR Counsel Concerning Secured Debt on Fairview Property**

On January 25, 2011, in response to GR counsel's request for an update on the sale efforts, Receiver's counsel emailed GR counsel the links to the listings for the two properties. GR Decl., Exhibit F. Shortly thereafter, on March 14, 2011, the Receiver filed his Eighth Interim Report, with the same estate liability statement as the prior six Interim Reports—"The Fairview Property has one known encumbrance: a loan with BB&T Bank on which there is a remaining principal balance of approximately \$248,941.73." DE 609 at 48.

On May 23, 2011, GR counsel sent the Receiver's counsel an email regarding sale efforts. Receiver's counsel responded the next day, indicating both properties continued to be marketed. GR Decl., Exhibit F. In February and July 2011, the Receiver's website reported the estate's liability to BB&T on the Fairview Loan secured by a first lien on the Fairview Property. Dombovary Decl. at ¶ 2, Exhibits D-E.

On June 8, 2011, GR counsel requested an "update from the broker regarding the properties encumbered by BB&T's liens[.]" GR Decl., Exhibit G. Receiver's counsel emailed the same day a marketing update on the Fairview Property. *Id.* at Exhibit H. Shortly thereafter, on July 21, 2011, the Receiver filed his Ninth Interim Report, with the same estate liability statement on the Fairview Loan as the prior seven Interim Reports quoted above. *See* Ninth Interim Report, DE 647 at 48-49.

On September 21, 2011, GR counsel requested an update from Receiver's counsel on "the two properties in which BB&T holds liens." GR Decl. Exhibit I. During that month, the

Receiver's website marketing the Fairview Property contained the same estate liability statement on the Fairview Loan. Dombovary Decl. at ¶ 2, Exhibits E-F (showing no change in the advertising from July 2011 to February 2012). This was consistent with the Receiver's Tenth Interim Report dated December 15, 2011, containing the same estate liability statement. *See* Tenth Interim Report, DE 685 at 32.

On March 12, 2012, GR counsel requested an update from Receiver's counsel "with respect to the two properties in which BB&T holds liens." GR counsel sent a follow-up email on March 22, 2012. GR Decl., Composite Exhibit J. During that month, the Receiver's website disclosed the same estate liability statement on the Fairview Loan. Dombovary Decl. at ¶ 2, Exhibit G.

At no time from September 2, 2010 to April 25, 2012 did the Receiver's counsel ever advise GR or BB&T of non-receipt of the Fairview POC. GR Decl., Exhibits F-J. During this period, the Receiver's Interim Reports and website advertisements also reported the estate's liability on the Fairview Loan of "approximately \$248,560.62" secured by a first lien. Dombovary Decl. at ¶ 2, Exhibits A-G.

**G. Receiver's Motion to Approve Claims Determinations and Priority of Claims Omits Discussion of Fairview POC**

Following the claims deadline, the Receiver conducted disallowance/allowance/priority determinations. On December 7, 2011, about 15 months after the deadline, the Receiver moved the Court to approve his determinations, to establish a procedure for creditors to object to claim determinations and other relief ("Claims Determination Motion"). DE 675.

The Receiver reported that BB&T had made the Laurel Preserve Loan, secured by a first mortgage, and recommended allowance of the Laurel Preserve POC (Claim No. 482) in part for

\$360,157.37, the principal amount owing when the Receiver was appointed, to be paid solely from the sale proceeds of the Laurel Preserve Property, minus fees and costs. *See* Claims Determination Motion at 17-18, 38, 45-48, and Exhibit E, DE 675 at 22-23, 43, 50-53, and 675-5. The Receiver recommended a Second Priority Class 2 status, *id.* at 34-35, DE 675 at 39-40, with “priority over all other classes with respect to the proceeds of the sale of the asset securing each of the respective secured claims.” *Id.* at 35, DE 675 at 40. The Receiver argued for BB&T’s priority, noting all creditors need not be treated alike, but similarly-situated creditors should be so treated. *Id.* at 35-36, DE 675 at 40-41 (and cases cited). According to the Receiver, BB&T should not receive a deficiency because “secured creditors have an advantage as they have an identifiable asset over which they enjoy priority in relation to other creditors, including defrauded investors. Accordingly, [the Laurel Preserve POC] should be paid only out of the proceeds of the sale of [BB&T’s] collateral.” *Id.* at 45; DE 675 at 50.

Although the Receiver knew of BB&T’s secured claim on the Fairview Loan in early 2009, and knew as of December 2011 that he had no evidence of receipt of the Fairview POC, the Receiver did not refer to the Fairview Loan and did not ask the Court to approve any determination as to the claim, in the Claims Determination Motion. On March 2, 2012, the Court granted the Claims Determination Motion in part, reserving on whether Wells Fargo Bank, N.A. (“WFB”) had forfeited its mortgage lien interest on three properties on which it had not timely submitted proofs of claim. DE 776 at ¶ 9. The Court made no determinations on the Fairview POC. *Id.* at DE 776.

#### **H. The April 26, 2012 Letter**

On April 26, 2012, about 45 days after the order on the Claims Determination Motion, the Receiver’s counsel sent GR counsel a letter responding to GR’s counsel’s March 2012

inquiry for sale updates on the two properties (“April 26, 2012 Letter”). GR Decl., Exhibit K. The April 26, 2012 Letter indicated for the first time that although BB&T had timely submitted the Laurel Preserve POC, the Receiver had no evidence of receiving the Fairview POC. *Id.* That afternoon, GR counsel emailed the Receiver’s counsel the Fairview POC and the Laurel Preserve POC with supporting documents, previously sent to her by Herrick and Decker, respectively, in August-September 2010. *Id.* at Exhibit L.

Despite contending in the April 26, 2012 Letter that BB&T had forfeited its claim on the Fairview Loan, about one month later, on May 31, 2012, the Receiver filed his Eleventh Interim Report, repeating that “[t]he Fairview Property has one known encumbrance: a loan with BB&T Bank on which there is a remaining principal balance of approximately \$248,941.73.” DE 863 at 28. During the same period, the Receiver’s website continued to indicate the estate’s liability on the Fairview Loan to BB&T secured by its lien. Dombovary Decl. at ¶ 2, Exhibits F-G.

On October 23, 2012, the Receiver filed his Twelfth Interim Report, repeating the estate’s liability on the Fairview Loan “of approximately \$248,941.73” secured by a first lien. DE 929 at 29-30. On November 5, 2012, GR counsel emailed the Receiver’s counsel advising that she was unable to send proof of transmittal as Herrick had left the bank.<sup>9</sup> GR Decl., Exhibit M. Following this, the Receiver did not file any motion with the Court seeking a claims determination on the Fairview POC.

**I. Post-November 2012 Interim Reports and Website Advertisements  
Continue to Recognize Estate’s Liability on Fairview Loan**

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<sup>9</sup> Herrick left BB&T on October 28, 2010. According to BB&T’s retention policy in effect, BB&T would have purged his emails, both incoming and sent items, within 120 days of the date he left the bank. Accordingly, by April 2012, when BB&T learned of the Fairview POC issue, it would not have been able to obtain a copy of Herrick’s email transmittal to the Receiver. Miller Decl. ¶ 14. Moreover, despite our diligent attempts, we have been unable to locate Herrick to determine the facts concerning transmittal of the Fairview POC. *See* Dombovary Decl. at ¶¶ 3-7.

From November 2012 to November 2014, the Receiver filed 4 additional Interim Reports, all indicating the estate's liability on the Fairview Loan of "approximately 248,941.73" secured by a first lien on the Fairview Property. *See* Thirteenth Interim Report dated April 8, 2013, DE 1001 at 25-26; Fourteenth Interim Report dated October 17, 2013, DE 1077 at 28; Fifteenth Interim Report dated March 7, 2014, DE 1106 at 21; and Sixteenth Interim Report dated August 12, 2014, DE 1135 at 21 (all reporting that "[t]he Fairview Property has one known encumbrance: a loan with BB&T Bank on which there is a remaining principal balance of approximately \$248,941.73."). Similarly, during this period, the Receiver continued to report substantially the same information in website advertisements for the sale of the Fairview Property. *See* NOF Exhibits Dombovary Decl. at ¶ 2, Exhibits J-M (Receiver's website advertisements dated April 2, 2013, May 16, 2013, June 16, 2013, and July 18, 2013, all identifying estate's liability as "BB&T loan with a remaining balance of approximately \$248,000.00.").

**J. The November 17, 2014 Motion for Sale**

On November 17, 2014, the Receiver sought leave to sell the Fairview Property on an urgent basis ("Motion for Sale"). DE 1150. For the first time in a court filing, and contrary to all of the prior Interim Reports and advertisements, the Receiver indicated that he was contesting the validity of BB&T's lien, but the Receiver did not ask the Court to rule on a recommended claim denial on the Fairview POC. Instead, the Receiver sought immediate approve of the sale without the Court's determining the validity of BB&T's lien for the balance owing,<sup>10</sup>

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<sup>10</sup> The Motion for Sale incorrectly reported the balance owing as \$101,710.77. *See* DE 1150 at 4. The Receiver later corrected this. *See* Receiver's Seventeenth Interim Report dated

representing the lien would transfer to proceeds, which the Receiver would hold in a segregated trust account to protect BB&T's lien interest. *Id.* at 3-5, 9-10, 14.<sup>11</sup>

The Motion for Sale did not inform the Court that (a) despite knowing as of December 2011 that the Receiver had no evidence of receipt of the Fairview POC, the Claims Determination Motion did not contain any claim determination on the Fairview Loan, let alone a recommended disallowance triggering a duty to object, and the Receiver had not filed any document after December 2011 seeking approval of a claim denial on the Fairview POC; (b) the Receiver had reported the estate's liability for the principal balance on the Fairview Loan and existence of the mortgage lien for over 5 years and well before and after the claims deadline as evidenced by his Motion for Title on March 27, 2009, 15 Interim Receiver's Reports from June 2009 to August 2014, and 2009-2014 website advertising of the Fairview Property; (c) the Receiver had communicated with BB&T's counsel on numerous occasions over a 14 month period from January 2011 to March 2012, in which BB&T's counsel had consistently referred to the estate's obligation on the Fairview Loan secured by a first lien, to which the Receiver's counsel never objected or indicated an issue on the Fairview POC; (d) as soon as BB&T's counsel became aware of the claimed non-receipt of the Fairview POC on April 26, 2012, she forwarded the Fairview POC and supporting documents to the Receiver's counsel; (e) thereafter, the Receiver did not file any motion seeking a claims determination and instead continued to report in 6 Interim Reports from May 2012 to August 2014 and website advertisements during

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December 17, 2015, DE 1154 at 20 n. 6 (acknowledging inaccuracy as representing the amount to reinstate the Fairview Loan, not the accelerated amount due and owing).

<sup>11</sup> As the Receiver noted: "Importantly for BB&T, although the Court can order the Fairview Property's sale free and clear of all claims, liens, and encumbrances, those claims, liens, and encumbrances do not evaporate. Rather, upon sale of the Fairview Property, BB&T's encumbrance will transfer to the sale's proceeds." DE 1150 at 9.

the same period the estate's liability of "approximately \$248,560.62" to BB&T secured by a first lien on the Fairview Property. On November 18, 2014, the Court approved the sale, making no determination on the validity of the Fairview POC or the lien. DE 1151.

### ARGUMENT

#### A. As Secured Creditor, BB&T Was Not Required to Submit Fairview POC to Protect Its Lien Interest<sup>12</sup>

The Court has the inherent power to grant relief in a securities receivership, *see Bendall v. Lancer Management Group, LLC*, 523 Fed.Appx. 554, 557 (11th Cir. 2013) (citing *S.E.C. v. Elliott*, 953 F.2d 1560, 1566 (11th Cir. 1992)), whose goal is to achieve a fair and just outcome for affected creditors. *SEC v. Wealth Mgmt. LLC*, 628 F.3d 323, 334 (7th Cir. 2010). In determining allowability and priority of claims, "the fundamental principle which emerges from case law is that any distribution should be done equitably and fairly, with similarly situated investors or customers treated alike." *S.E.C. v. Credit Bancorp, Ltd.*, 2000 WL 1752979, at \*13 (S.D.N.Y. 2000), *aff'd*, 290 F.3d 80 (2d Cir. 2002). *See also* DE 675 at 34-36; 39-41 (Receiver's recommending priority for BB&T lien and right to proceeds on sale of Laurel Preserve Property); DE 776 (approving BB&T's priority). The Receiver also takes all estate property subject to existing liens perfected under state law. *See Marshall v. People of State of New York*, 254 U.S. 380, 385 (1920).

In this Circuit, where there is no definitive precedent in a receivership case on the issue presented, the Court is informed by cases interpreting the Bankruptcy Code. *See Bendall*, 523 Fed. Appx. at 557 (and cases cited) ("Given that a primary purpose of both receivership and

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<sup>12</sup> WFB has taken the same position with respect to the Receiver's contention that WFB forfeited its mortgage liens by failing timely to submit 3 proofs of claim. Following briefing, DE 740, 755, 762, the Court entered orders deferring ruling on the issue. DE 776 at ¶ 9; DE 955.

bankruptcy proceedings is to promote the efficient and orderly administration of estates for the benefit of creditors, we will apply cases from the analogous context of bankruptcy law, where instructive, due to limited case law in the receivership context.”); *S.E.C. v. Elliott*, 953 F.2d 1560, 1572-73 (11th Cir. 1992) (analyzing bankruptcy law to resolve issue in receivership context). As the Eleventh Circuit has noted, other circuits have taken the same approach. *See Bendall*, 523 Fed. Appx. at 557 (and cases cited).

In the analogous bankruptcy context, a secured creditor is not obligated to submit a proof of claim to preserve its lien interest; the lien rides through the bankruptcy regardless whether the creditor files a proof of claim or files it after the claims deadline. *See In re Thomas*, 883 F.2d 991 (11th Cir. 1989) (secured creditor’s lien on mobile home not affected by failure to file claim in Chapter 13 proceeding; proof of claim only necessary to preserve deficiency claim,<sup>13</sup> quoting from and adopting Judge Posner’s reasoning in *Matter of Tarnow*, 749 F.2d 464, 465 (7th Cir. 1984), that “[a] long line of cases, though none above the level of bankruptcy judges since the Bankruptcy Code was overhauled in 1978, allows a creditor with a loan secured by a lien on the assets of a debtor who becomes bankrupt before the loan is repaid to ignore the bankruptcy proceedings and look to the lien for the satisfaction of the debt.”); *In re Bateman*, 331 F.3d 821, 827 (11th Cir. 2003) (“An unsecured creditor is required to file a proof claim for its claim to be allowed, but filing is not mandatory for a secured creditor. *See* Fed. R. Bankr.P. 3002(a). In fact, a secured creditor need not do anything during the course of the bankruptcy proceeding because it will always be able to look to the underlying collateral to satisfy its lien.”) (citing, *inter alia*, *In re Folendore*); *In re Folendore*, 862 F.2d 1537, 1539 (11th Cir. 1989) (“Because an

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<sup>13</sup> BB&T is not pursuing a deficiency claim in the action.

unchallenged lien survives the discharge of the debtor in bankruptcy, a lienholder need not file a proof of claim under section 501.”);<sup>14</sup> accord *In re Tarnow*, 749 F.2d at 465 (secured creditor did not forfeit lien because it failed to file proof of claim by deadline; secured creditor need only file timely proof of claim to preserve deficiency claim against estate); *SLW Capital, LLC v. Mansaray-Ruffin (In re Mansaray-Ruffin)*, 530 F.3d 230 (3d Cir. 2008) (adversary proceeding required to invalidate lien in Chapter 13 proceeding; lien remains intact despite failing to file claim or objecting to confirmation of plan which provided claim was unsecured); *In re Hamlett*, 322 F.3d 342 (4th Cir. 2003) (affirming bankruptcy and district court’s ruling that secured party’s failure timely to file proofs of claim does not extinguish mortgage liens in Chapter 7); *In re Alexander*, 435 F. App’x 563, 565 (7th Cir. 2011) (“[A] secured creditor need not file a ‘proof of claim’ unless the creditor wishes to take part in the distribution of estate assets; here the creditors sought to separate the mortgaged property from the bankruptcy estate and vindicate their claims in foreclosure proceedings in state court, as the bankruptcy code permits.”); *Shelton v. CitiMortgage, Inc. (In re Shelton)*, 477 B.R. 749, 752 (B.A.P. 8th Cir. 2012) (affirming bankruptcy court’s ruling that mortgagee’s failure timely to file secured proof of claim by bar date did not extinguish lien; “Liens pass through bankruptcy unless avoided on their merits. And here, the Debtors have not asserted, let alone proved, that CitiMortgage’s lien is avoidable on any ground other than the untimeliness of CitiMortgage’s proof of claim.”); *Newman v. First Sec.*

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<sup>14</sup> This was also the rule under the prior Bankruptcy Code. See *Long v. Bullard*, 117 U.S. 617, 620-21 (1886) (“Here the creditor neither proved his debt in bankruptcy nor released his lien. Consequently his security was preserved notwithstanding the bankruptcy of his debtor.”); *Farrey v. Sanderfoot*, 500 U.S. 291, 297 (1991) (“Ordinarily, liens and other secured interests survive bankruptcy”); *Johnson v. Home State Bank*, 501 U.S. 78, 84 (1991) (“Rather, a bankruptcy discharge extinguishes only one mode of enforcing a claim -- namely, an action against the debtor *in personam* -- while leaving intact another -- namely, an action against the debtor *in rem*”).

*Bank of Bozeman*, 887 F.2d 973 (9th Cir. 1989) (under prior Bankruptcy Code, mortgagee need not file proof of claim in Chapter 7 proceeding to preserve lien, which rode through bankruptcy unaffected by debtors' discharge); *Bisch v. United States (In re Bisch)*, 159 B.R. 546, 550 (9th Cir. BAP 1993) (secured creditor, IRS, failed to file proof of claim for unpaid taxes on debtor's real property; lien not extinguished because "[f]ailure to file a secured proof of claim in a bankruptcy case might mean that the lien holder will not receive a distribution from the estate. This may mean forfeiting any right to a deficiency, but it does not waive the lien."); *In re Simmons*, 765 F.2d 547, 556-57 (5th Cir. 1985) (adopting *In re Tarnow*; secured creditor with valid state statutory lien on estate property who failed to object to confirmation of Chapter 13 plan listing debt as unsecured did not forfeit perfected lien); *Clem v. Johnson*, 185 F.2d 1011, 1013 (8th Cir. 1950), *cert. denied*, 341 U.S. 909 (1951) (under prior Bankruptcy Code, secured creditor holding mortgage on aircraft was entitled to enforce lien in Chapter 7 proceeding despite failing to file proof of claim by claims bar deadline); *In re Schwalb*, 347 B.R. 726, 753 (Bankr. D. Nev. 2006) (even if secured creditor does not file proof of claim, "a secured claim passes through bankruptcy unaffected absent some affirmative action to set it aside."); *In re Prestige Ltd. Partnership-Concord*, 223 B.R. 203, 208 (Bankr. N.D. Cal. 1998) (secured creditor in Chapter 11 proceeding not required to file proof of claim to preserve interest in collateral); *In re Penrod*, 50 F.3d 459, 461 (7th Cir. 1995) ("A secured creditor can bypass his debtor's bankruptcy proceeding and enforce his lien in the usual way, which would normally be by bringing a foreclosure action in a state court. This is the principle that liens pass through the bankruptcy unaffected."); *In re Pence*, 905 F.2d 1107, 1110 (7th Cir. 1990.); *In re Brawders*, 325 B.R. 405, 411 (B.A.P. 9th Cir. 2005) ("Absent some action by the representative of the bankruptcy estate, liens ordinarily pass through bankruptcy unaffected, regardless whether the

creditor holding that lien ignores the bankruptcy case, or files an unsecured claim when it meant to file a secured claim, or files an untimely claim after the bar date has passed.”), *aff'd*, 503 F.3d 856 (9th Cir. 2007). Accordingly, BB&T’s failure to submit the Fairview POC on time, if true,<sup>15</sup> does not justify forfeiting its lien interest.<sup>16</sup>

**B. The Receiver Knew of and Reported All Information in Fairview POC Well Before Deadline**

This is not a case where the Receiver and creditors were uniformed as to BB&T’s secured claim; to the contrary, throughout the last 5 years, the Receiver knew of and reported BB&T’s secured claim to the Court and creditors. Shortly after his appointment, the Receiver discovered and reported the estate’s liability and BB&T’s lien on the Fairview Property and submitted the loan documents to the Court. Thereafter, in 15 Interim Receiver Reports and continuous website advertisements, from 2009 to 2014, the Receiver continually reported the estate’s liability to BB&T of “approximately \$248,560.62” secured by a first lien on the Fairview Property. A formal proof of claim by September 10, 2010 was not necessary to inform the Receiver and parties in interest of that which they already knew. As the district court reasoned in *Bankers Trust Co. v. Florida East Coast Ry. Co.*, 31 F.Supp. 961, 963 (S.D. Fla. 1940), in permitting a late-filed preferred claim in a receivership seeking priority payment on account of a state court judgment:

Those objecting to the petition also make the point that petitioner's claim was not filed within the time fixed by the Court's former orders herein relating to claims

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<sup>15</sup> We have not taken discovery of the Receiver to verify his statement of non-receipt, but assume its truth; as discussed, even if true, the facts and law do not support forfeiture of BB&T’s lien and right to net proceeds.

<sup>16</sup> Indeed, as WFB pointed out, the Receiver has not cited a single receivership case holding that a secured creditor’s failure to submit a proof of claim on time justifies forfeiture of the lien or proceeds on disposition. We have not found any such case either.

generally, and therefore that the claim is barred. The object of requiring the filing of claims within a stated period is to give the Receivers timely notice of the existence thereof. As counsel who specifically consented to the entry of this judgment were also counsel for the Receivers, there was ample notice of its existence. There is no substantial reason for requiring further proof of such a claim.

This Court need go no further in ruling that BB&T should receive the net disposition proceeds. The purpose of a proof of claim on Fairview Loan was satisfied as soon as the Receiver took title to the Fairview Property subject to the mortgage and reported the estate's liability on the Fairview Loan.

**C. Delay in Submitting Fairview POC was Excusable Neglect**

The Court has broad discretion to permit a tardy proof of claim. *See, e.g., Callahan v. Moneta Capital Corp.*, 415 F.3d 114, 120 (1st Cir. 2005). As the Court has recognized, excusable neglect will justify relief for untimely submission of a proof of claim. *See* DE 1002 at 7 (involving unsecured creditor and citing *Pioneer Investment Services Co. v. Brunswick Associates Limited Partnership*, 507 U.S. 380 (1993)). Four factors inform the inquiry: “(1) the danger of prejudice to the receivership, in this case; (2) the length of delay and its potential impact on the judicial proceedings; (3) the reasons for the delay; and (4) the good faith of the movant.” DE 1002 at 7 (citing *Pioneer*).

By definition, excusable neglect includes negligence. *See Cheney v. Anchor Glass Container Corp.*, 71 F.3d 848, 850 (11th Cir. 1996) (applying *Pioneer* factors to relieve party for counsel's failure to timely move for *de novo* review of non-binding arbitration award; negligence will support relief); *Yang v. Bullock Financial Group, Inc.*, 435 Fed.Appx. 842, 843-44 (11th Cir. 2011) (reversing district court for failing to consider *Pioneer* factors; “With respect to *Pioneer's* inquiry into the ‘reason for the delay,’ we recognize that untimely filing caused by

inadvertence, mistake, or carelessness may still constitute ‘excusable neglect.’”) (citing *Advanced Estimating Sys., Inc. v. Riney*, 77 F.3d 1322, 1323 (11th Cir.1996), and *Cheney*).

An inadvertent delay may constitute excusable neglect, which does not require that the delay result from uncontrollable events. *Pioneer*, 507 U.S. at 391-92. Rather, the determination is an equitable one, and the primary factor is whether there is prejudice to the opposing party. *See Cheney*, 71 F.3d at 850 (“In *Pioneer*, the Supreme Court accorded primary importance to the absence of prejudice to the nonmoving party and to the interest of efficient judicial administration in determining whether the district court had abused its discretion.”); *accord In re Eagle Bus Mfg. Co., Inc.*, 62 F.3d 730, 737-38 (5th Cir. 1995) (“Under *Pioneer*, the central inquiry is whether the debtor will be prejudiced.”).

If the Receiver did not receive the Fairview POC on time, the failed delivery was excusable. BB&T employee Pocisk prepared the Fairview POC before the deadline and delivered it to Herrick, who was tasked with transmitting it to Lockwood by September 2, 2010. Herrick certainly intended to do so, as reflected by his email to GR counsel on August 27, 2010 expressing that intent. Because his sent items were not available when BB&T learned of the claimed non-receipt, we cannot say whether Herrick sent the Fairview POC via email to the wrong address or omitted to send it, but either way the failed delivery was, at worse, the result of carelessness, oversight or inadvertence, any of which is sufficient to establish excusable neglect under *Pioneer*. *See Pioneer*, 507 U.S. at 388, 392 (excusable neglect for untimely filings “encompasses both simple, faultless omissions to act and, more commonly, omissions caused by carelessness .... Congress plainly contemplated that the courts would be permitted, where appropriate, to accept late filings caused by inadvertence, mistake, or carelessness, as well as by intervening circumstances beyond the party's control. [Moreover], “it is clear that ‘excusable

neglect' under Rule 6(b) is a somewhat "elastic concept" and is not limited strictly to omissions caused by circumstances beyond the control of the movant.") (footnote omitted); *Cheney*, 71 F.3d at 850 (attorney's failure timely to file motion for *de novo* review of arbitration award constituted excusable neglect resulting from failure in communication between associate and lead attorney; although error was within their control, "their noncommunication and resulting inaction amounts only to an 'omission[ ] caused by carelessness[,] [i]n other words, their failure to comply with the filing deadline is attributable to negligence."); *Avon Contractors, Inc. v. Secretary of Labor*, 372 F.3d 171 (3d Cir. 2004) (receptionist's failure properly to route mail causing movant's failure to provide timely notice of contest to OSHA's Citations and a Notice of Penalty, constituted excusable neglect warranting relief under *Pioneer*).

1. **No Prejudice to Receivership Estate**

In considering prejudice, the Court inquires: (1) whether the Receiver was aware of the claim; (2) whether honoring the claim would force return of payments or affect distributions; (3) whether honoring the claim would adversely affect the estate or success of a reorganization; and (4) whether honoring the claim would open the floodgates to future claims. *In re Cable & Wireless USA, Inc.*, 338 B.R. 609, 614 (Bankr. D. Del. 2006) (citing *In re Inacom Corp.*, 2004 WL 2283599, at \*4 (D. Del. 2004) and *In re O'Brien*, 188 F.3d 116 at 125–26 (3d Cir. 1999)). These factors show no prejudice here.

From early 2009-2014, the Receiver reported to the Court and parties in interest BB&T's secured claim. The estate sold the Fairview Property, and the lien attached to the net proceeds, held by the Receiver in a segregated trust account: "On November 21, 2014, the Receiver received the net amount of \$267,720.59 from the sale of the property after payment of commission and normal closing costs. This amount is being held until a potential dispute with

BB&T is resolved.” Receiver’s Seventeenth Interim Report dated December 17, 2014, DE 1154 at 20. The Receiver’s knowledge of the secured claim before the deadline precludes a finding of prejudice. *See In re Leisure, Inc.*, 400 B.R. 837, 840 (Bankr. M.D. Fla. 2008) (no prejudice to debtor from late-filed claim because debtor was aware of potential claim prior to and during case); *In re Smith*, 200 B.R. 135, 137 (Bankr. S.D. Miss. 1996) (debtors’ knowledge of claim, including correspondence with claimant concerning claim, precluded prejudice even if formal proof of claim was not filed by deadline).

The Receiver has not proposed any distribution plan that includes the net proceeds. No party in interest has relied on the proceeds being part of any distribution.<sup>17</sup> The Receiver will not have to seek return of any prior distributions, and there will be no impairment to a reorganization as this is a liquidation. Honoring the claim will not lead to a floodgate of like claims.<sup>18</sup> *See In re Pappalardo*, 210 B.R. 634, 645-46 (no prejudice inured to estate on permitting late-filed claim because no one had voted on plan and estate’s potential liability to claimant was known to parties in interest); *In re Majorca Isles Master Association, Inc.*, 2014 WL 1323180, at \*3 (Bankr. S.D. Fla. 2014) (granting relief for late filing; no reorganization plan before court).

BB&T is aware that the Court found estate prejudice in denying the unsecured creditor’s motion to allow a tardy \$700,000 claim. DE 1002 at 8. But the Court reasoned that the Receiver had already made two distributions to unsecured creditors and had not reserved any funds for the unsecured claimant with a significant claim amount, and even after the Receiver had

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<sup>17</sup> In any event, prejudice, if any, to unsecured creditors is not the relevant test under *Pioneer*. *See In re Eagle Bus Mfg.*, 62 F.3d 730, 737–39 (5th Cir. 1995); *In re Pappalardo*, 210 B.R. at 645.

<sup>18</sup> We are not aware of any secured creditors in a like position other than WFB.

recommended denial of the claim in the Claims Determination Motion, the claimant did not promptly seek relief. *Id.* at 7-8. By contrast, this is a secured claim, the Receiver has set aside the funds on which BB&T's lien remains, and the funds have never been earmarked for unsecured creditors or general estate expenses. The Claims Determination Motion and order granting it in part did not include any disposition of the Fairview POC, triggering a duty to object. BB&T filed this motion promptly as invited by the Receiver in its Motion for Sale and following our investigation of the issues.

2. **No Impact to Administration of Case**

For the same reasons, allowing the Fairview POC poses no threat to the case administration. From inception, the Receiver reported the estate's liability to BB&T and lien to the Court and parties in interest. No one could have reasonably relied on the disposition of funds being part of general estate assets. As noted, the Receiver is holding the subject funds in trust and segregated pending the Court's ruling. This issue will not delay completion of this case; indeed, the Court has the same issue pending on WFB's application to submit late secured POCs.

3. **BB&T's Belief That Fairview POC Was Submitted**

BB&T and its counsel believed that the Fairview POC had been timely submitted. From September 2, 2010 to April 2012, based on information provided to it, BB&T's management responsible for the Fairview Loan believed that the Fairview POC had been timely submitted, BB&T's rights were perfected, and it would receive the sale proceeds. From January 2011 to March 2012, GR counsel consistently referred to BB&T's secured claim in communicating with the Receiver's counsel, who never indicated that the Fairview POC had not been timely received. After the claims bar date, the Receiver reported the estate's liability to BB&T and its lien interest in numerous Interim Reports and website advertisements. The Claims Determination Motion did

not mention or seek any determination on allowability of claim on the Fairview Loan. As soon as the Receiver's counsel advised on April 26, 2012 of non-receipt of the Fairview POC, GR counsel emailed it with supporting documents. There was no delay in curing the non-receipt—information of which the Receiver was then already long aware.

4. **BB&T Has Always Acted in Good Faith**

*Pioneer's* “good faith” factor is assessed by “whether the movant intentionally sought advantage by untimely filing.” *Yang*, 435 Fed.Appx. at 844 (citing *Cheney*, 71 F.3d at 850). There is no such evidence. BB&T intended to comply, timely prepared the Fairview POC, and the employee tasked with submitting it expressed his intent to do so. *In re Pappalardo*, 210 B.R. at 647 (no evidence that creditor acted in bad faith by making strategic decision to delay filing proof of claim; mere mistake does not amount to bad faith) (and cases cited). BB&T's failure to deliver the Fairview POC by September 2, 2010, if true, was inadvertent, unintended and caused by human error.

**CONCLUSION**

The Court should allow the Fairview POC and direct the Receiver to turn over the \$267,720.59 net proceeds to BB&T.

**LOCAL RULE 3.01(g) CERTIFICATION**

Counsel to BB&T has conferred with counsel to Receiver. The Receiver's counsel objects to the requested relief.

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, 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

**SERVICE LIST**

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

**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.

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**ORDER**

Before the Court is BB&T's Motion for Turnover of Sale Proceeds of Fairview Property Subject to Mortgage Interest (Dkt. 1159), the Receiver's Opposition (Dkt. 1163), BB&T's Reply (Dkt. 1168), and the Receiver's Sur-reply in Opposition (Dkt. 1169).

Afer careful consideration of the argument of counsel, the applicable law, and the entire file, the Court concludes that the motion should be denied.

**BACKGROUND**

In this equitable receivership proceeding, this Court entered two key orders pertaining to claims. On April 21, 2010, in granting the Receiver's "Motion to (1) Approve Procedure to Administer Claims and Proof of Claim Form, (2) Establish Deadline for Filing Proofs of Claim, and (3) Permit Notice by Mail and Publication,"<sup>1</sup> this Court established the procedure for filing proofs of claim. The order reads in pertinent part:

2. Each person or entity that asserts a claim against the Receivership arising out of or related in any way to the acts, conduct, or activities of the Receivership Entities must submit an original, written Proof of Claim, in the form attached to the motion as Exhibit A, to the Receiver [c/o Maya M. Lockwood, Esq.], to be received on or before the later of 120 days from the entry of this Order or 90 days from the mailing of the Proof of Claim Form to known possible Claimants (the "Claim Bar Date"). Any person or entity that fails to submit a Proof of Claim to the Receiver on or before the Claim Bar Date (i.e., fails to take the necessary steps to ensure that the Proof of Claim is received by the Receiver on or before the Claim Bar Date), shall be forever barred and precluded from asserting any claim against the Receivership or Receivership Entities (as that term is defined in the Motion).<sup>2</sup>

On March 2, 2012, in granting the Receiver's "Motion to (1) Approve Determination and Priority of Claims, (2) Pool Receivership Assets and Liabilities, (3) Approve Plan of Distribution, and (4) Establish Objection Procedure,"<sup>3</sup> this Court ordered in pertinent part:

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<sup>1</sup> See docket 390 (motion).

<sup>2</sup> See docket 391 (order).

<sup>3</sup> See docket 675 (motion).

- 7) The Proposed Objection Procedure . . . for objections to the plan of distribution and the Receiver's claim determinations and claim priorities is . . . approved, and any and all objections to claim determinations, claim priorities, or the plan of distribution shall be presented to the Receiver in accordance with the Proposed Objection Procedure . . . ; and
- 8) To bring finality to these matters and to allow the Receiver to proceed with distributions of Receivership assets, any and all further claims against Receivership Entities, Receivership Property, the Receivership estate, or the Receiver by any Claimant taxing authority, or any other public or private person or entity and any and all proceedings or other efforts to enforce or otherwise collect on any lien, debt, or other asserted interest in or against Receivership Entities, Receivership Property, or the Receivership estate are barred and enjoined absent further order from this Court.<sup>4</sup>

The claims determination motion did not specifically mention or separate from all claims the loan on the Fairview Property.<sup>5</sup> BB&T did not file an objection to the claim determination after entry of the March 2012 order.

BB&T contends that it did not realize it had not submitted the proof of claim until April 26, 2012, when the Receiver, in a letter, informed it that its claim for the Fairview loan had been forfeited based on the non-receipt of the proof of claim. The letter informed BB&T that the April 2010 order established the specific process for “*all* creditors to submit claims to assets of this Receivership.”<sup>6</sup> The letter stated that the

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<sup>4</sup> See docket 776 (order).

<sup>5</sup> See docket 675.

<sup>6</sup> See docket 1164-4.

claims bar date expired on September 2, 2010, and that BB&T had not timely submitted a claim related to the Fairview Property, despite its filing a claim for the Laurel Preserve property.<sup>7</sup> The Receiver recited the relevant part of the March 2012 order barring and forever enjoining any further claims against the receivership, and specified that “BB&T is currently precluded from asserting its claim with respect to the [Fairview Property] and the mortgage loan relating to that property.” Upon receipt of this letter, BB&T emailed the proof of claim for the Fairview Property.<sup>8</sup>

### ARGUMENT

BB&T argues it believed in good faith that it had submitted its secured claim by the September 2, 2010, claims deadline. The employee who allegedly electronically submitted the proof of claim to the Receiver has not been found, and there is no ability to confirm that the proof of claim was sent.<sup>9</sup> BB&T contends that as a secured creditor it was not required to submit a proof of claim to protect its lien. Furthermore, the Receiver knew of the lien since 2009 and, therefore argues BB&T, there was no need to file a proof of claim, the purpose of which was to impart knowledge of the lien on the Receiver. Finally, BB&T submits that excusable neglect justifies relief for the untimely filing of the proof of claim, and the receivership estate suffered no prejudice because the Receiver has

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<sup>7</sup> The Receiver had received a timely proof of claim from BB&T on another North Carolina property, Laurel Preserve.

<sup>8</sup> See docket 1164-5.

<sup>9</sup> See docket 1160, Exh. 1, para. 14 & Exh. 3, paras. 3-7.

set aside funds from the sale of the Fairview Property with which to satisfy the lien.

Addressing each argument, the Receiver primarily contends that the relief sought is time-barred under Federal Rule of Civil Procedure 60(c)(1).

### ANALYSIS

The issue before the Court is whether a secured creditor's mortgage lien passes through this equitable receivership unaffected, despite the Receiver's failure to receive a proof of claim before the claims deadline of September 2, 2010. The Receiver knew of the mortgage lien from 2009 to date, as was evidenced by the interim reports noting the the BB&T loan "of approximately \$248,560.62" secured by a mortgage lien. On April 26, 2012, the Receiver informed BB&T that he had not received a proof of claim on the mortgage encumbering the Fairview Property. While BB&T emailed a copy of the proof of claim to the Receiver on that date, the issue of the validity of the proof of claim was not brought before this Court until this motion, which was filed almost three years later.

Rule 60(c)(1) allows one year after the entry of an order for a party to seek to reopen the order to obtain relief on the basis of mistake, inadvertence, surprise, or excusable neglect articulated in Rule 60(b)(1). Pioneer Inv. Servs. Co. v. Brunswick Associated Ltd. P'ship, 507 U.S. 380, 393, 113 S.Ct. 1489, 1497, 123 L.Ed.2d 74 (1993). The order of March 2, 2012, grants the Receiver's claims determination motion, which did not reference the loan on the Fairview Property. The March 2012 order approves the determination of claims, claim priorities, and the plan of distribution as set forth in the

claims determination motion. It further sets forth a claims objection procedure. To insure finality to the plan, the order declares “all further claims . . . and all proceedings or other effects to . . . otherwise collect on any lien . . . are hereby barred and enjoined. . . .”

BB&T did not seek to set aside the March 2012 order within one year, and the Receiver in a letter disclosed its position one month after the order was entered to the effect that BB&T was then precluded from asserting its claim with respect to the Fairview Property. Submissions of excusable neglect may not be considered here because one year elapsed from the entry of the March 2012 order,<sup>10</sup> long before this Court was requested to set aside the order as to the Fairview Property.

BB&T argues vehemently that this equitable receivership is akin to a bankruptcy proceeding, which excuses secured creditors from filing a proof of claim in the context of

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<sup>10</sup> Rule 60 “permits courts to reopen judgment for reasons of ‘mistake, inadvertence, surprise, or excusable neglect,’ but only on motion made within one year of the judgment.” Pioneer, 507 U.S. at 393. If this Court were to reach the issue of excusable neglect, however, BB&T’s burden of proof has not been met. Although there is no indication that BB&T did not act in good faith, it is evident that prejudice exists to both the victims of the fraud and the judicial administration of this receivership. See In re Intelligent Med. Imaging, Inc., 262 B.R. 142, 146 (Bankr. S.D.Fla. 2001). Unlike the order in Pioneer, the Court’s order is clear and unambiguous in the instant case. See In re Bautista, 235 B.R. 678, 683 (Bankr. M.D.Fla. 1999) (distinguishing Pioneer and finding no excusable neglect based on the unambiguous court orders); In re Norris, 228 B.R. 27, 32 (Bankr. M.D. Fla. 1998) (same). This Court’s citation to bankruptcy cases does not express an adoption of bankruptcy law to this equitable receivership, but merely points out that even under bankruptcy principles, there is no excusable neglect. See this Court’s prior order entered April 25, 2012, at docket 822 at pp. 12-13 and cases cited therein (“[A]lthough federal district courts presiding over federal equity receiverships, such as this SEC case, may look for guidance from bankruptcy law, [footnote omitted] they are not restricted by the dictates of bankruptcy law.”); and this Court’s order entered on August 29, 2013, at docket 1061 at pp. 7-8, reiterating its ruling at docket 822 (“Any attempted analogy between the significance of a proof of claim under bankruptcy law with respect to any presumption of its validity and one submitted in the course of this equity receivership is unavailing.”).

the Bankruptcy Code and rules promulgated thereunder. See, e.g., In re Bateman, 331 F.3d 821, 827 (11<sup>th</sup> Cir. 2003); In re Thomas, 883 F.2d 991 (11<sup>th</sup> Cir. 1989), cert. denied, 497 U.S. 1007, 110 S.Ct. 3245, 111 L.Ed.2d 756 (1990). This Court cannot begin to list, or even fathom, the intricacies, nuances and differences under the many specific provisions of the Bankruptcy Code and its rules, in trying to analogize any lack of requirement that a secured creditor file a proof of claim in any particular bankruptcy case to the unambiguous order in the present federal equity receivership requiring that claimants follow a particular procedure or suffer their claims forever barred. The burden rested on BB&T as a secured creditor to protect its rights pursuant to the framework clearly set forth in the conduct of this receivership. The claims process procedure did not contain any language exempting secured creditors from filing a proof of claim. Consequently, the failure to file a timely proof of claim, or timely submit evidence of excusable neglect, barred BB&T from enforcing the lien against the sale proceeds by asserting a claim against the receivership estate.

Finally, BB&T relies on Bankers Trust Co. v. Florida East Coast Ry. Co., 31 F.Supp. 961, 963 (S.D. Fla. 1940), as dispositive of this motion. Because the Bankers Trust court reasoned that the object of filing a proof of claim was to give a receiver notice of the existence of a claim, and because the Receiver in this case had notice that the claim existed since its initial interim reports, BB&T contends that it was exempt from filing a proof of claim. Bankers Trust is distinguishable on the law and its facts. This Court did

not act to alter the terms of a statute, as the court did in Bankers Trust. The orders in this equitable receivership are clear that the claim bar date and subsequent bar and injunction serve to impose finality, regardless of whether the Receiver had notice that a lien existed.

It is therefore **ORDERED AND ADJUDGED** that BB&T's Motion for Turnover of Sale Proceeds of Fairview Property Subject to Mortgage Interest (Dkt. 1159) is **DENIED**. The proceeds from the sale of the Fairview Property may be released to the receivership estate.

**DONE AND ORDERED** at Tampa, Florida, on April 15, 2015.

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

**COPIES FURNISHED TO:**  
Counsel of Record

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.

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**BB&T'S NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Secured Creditor Branch Banking and Trust Company ("BB&T") hereby appeals to the United States Court of Appeals for the Eleventh Circuit from this Court's April 15, 2015 order (Dkt. 1174) denying BB&T's Motion for Turnover of Sale Proceeds of Fairview Property Subject to Mortgage Interest ("Order"). The Order is attached hereto as Exhibit A.

Dated: May 12, 2015

GARBETT, STIPHANY, ALLEN & ROZA, P.A.  
Counsel to BB&T  
80 S.W. 8th Street – Suite 3100

Brickell City Tower  
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 May 12, 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

**SERVICE LIST**

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

# **EXHIBIT A**

## **BB&T'S NOTICE OF APPEAL**

*Securities and Exchange Commission v. Arthur Nadel et al.*

**U.S. District Court, Middle District of Florida**

**Case No. 8:09-cv-0087-T-26TBM**

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.

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**ORDER**

Before the Court is BB&T’s Motion for Turnover of Sale Proceeds of Fairview Property Subject to Mortgage Interest (Dkt. 1159), the Receiver’s Opposition (Dkt. 1163), BB&T’s Reply (Dkt. 1168), and the Receiver’s Sur-reply in Opposition (Dkt. 1169).

Afer careful consideration of the argument of counsel, the applicable law, and the entire file, the Court concludes that the motion should be denied.

**BACKGROUND**

In this equitable receivership proceeding, this Court entered two key orders pertaining to claims. On April 21, 2010, in granting the Receiver's "Motion to (1) Approve Procedure to Administer Claims and Proof of Claim Form, (2) Establish Deadline for Filing Proofs of Claim, and (3) Permit Notice by Mail and Publication,"<sup>1</sup> this Court established the procedure for filing proofs of claim. The order reads in pertinent part:

2. Each person or entity that asserts a claim against the Receivership arising out of or related in any way to the acts, conduct, or activities of the Receivership Entities must submit an original, written Proof of Claim, in the form attached to the motion as Exhibit A, to the Receiver [c/o Maya M. Lockwood, Esq.], to be received on or before the later of 120 days from the entry of this Order or 90 days from the mailing of the Proof of Claim Form to known possible Claimants (the "Claim Bar Date"). Any person or entity that fails to submit a Proof of Claim to the Receiver on or before the Claim Bar Date (i.e., fails to take the necessary steps to ensure that the Proof of Claim is received by the Receiver on or before the Claim Bar Date), shall be forever barred and precluded from asserting any claim against the Receivership or Receivership Entities (as that term is defined in the Motion).<sup>2</sup>

On March 2, 2012, in granting the Receiver's "Motion to (1) Approve Determination and Priority of Claims, (2) Pool Receivership Assets and Liabilities, (3) Approve Plan of Distribution, and (4) Establish Objection Procedure,"<sup>3</sup> this Court ordered in pertinent part:

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<sup>1</sup> See docket 390 (motion).

<sup>2</sup> See docket 391 (order).

<sup>3</sup> See docket 675 (motion).

- 7) The Proposed Objection Procedure . . . for objections to the plan of distribution and the Receiver's claim determinations and claim priorities is . . . approved, and any and all objections to claim determinations, claim priorities, or the plan of distribution shall be presented to the Receiver in accordance with the Proposed Objection Procedure . . . ; and
- 8) To bring finality to these matters and to allow the Receiver to proceed with distributions of Receivership assets, any and all further claims against Receivership Entities, Receivership Property, the Receivership estate, or the Receiver by any Claimant taxing authority, or any other public or private person or entity and any and all proceedings or other efforts to enforce or otherwise collect on any lien, debt, or other asserted interest in or against Receivership Entities, Receivership Property, or the Receivership estate are barred and enjoined absent further order from this Court.<sup>4</sup>

The claims determination motion did not specifically mention or separate from all claims the loan on the Fairview Property.<sup>5</sup> BB&T did not file an objection to the claim determination after entry of the March 2012 order.

BB&T contends that it did not realize it had not submitted the proof of claim until April 26, 2012, when the Receiver, in a letter, informed it that its claim for the Fairview loan had been forfeited based on the non-receipt of the proof of claim. The letter informed BB&T that the April 2010 order established the specific process for “*all* creditors to submit claims to assets of this Receivership.”<sup>6</sup> The letter stated that the

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<sup>4</sup> See docket 776 (order).

<sup>5</sup> See docket 675.

<sup>6</sup> See docket 1164-4.

claims bar date expired on September 2, 2010, and that BB&T had not timely submitted a claim related to the Fairview Property, despite its filing a claim for the Laurel Preserve property.<sup>7</sup> The Receiver recited the relevant part of the March 2012 order barring and forever enjoining any further claims against the receivership, and specified that “BB&T is currently precluded from asserting its claim with respect to the [Fairview Property] and the mortgage loan relating to that property.” Upon receipt of this letter, BB&T emailed the proof of claim for the Fairview Property.<sup>8</sup>

### ARGUMENT

BB&T argues it believed in good faith that it had submitted its secured claim by the September 2, 2010, claims deadline. The employee who allegedly electronically submitted the proof of claim to the Receiver has not been found, and there is no ability to confirm that the proof of claim was sent.<sup>9</sup> BB&T contends that as a secured creditor it was not required to submit a proof of claim to protect its lien. Furthermore, the Receiver knew of the lien since 2009 and, therefore argues BB&T, there was no need to file a proof of claim, the purpose of which was to impart knowledge of the lien on the Receiver. Finally, BB&T submits that excusable neglect justifies relief for the untimely filing of the proof of claim, and the receivership estate suffered no prejudice because the Receiver has

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<sup>7</sup> The Receiver had received a timely proof of claim from BB&T on another North Carolina property, Laurel Preserve.

<sup>8</sup> See docket 1164-5.

<sup>9</sup> See docket 1160, Exh. 1, para. 14 & Exh. 3, paras. 3-7.

set aside funds from the sale of the Fairview Property with which to satisfy the lien.

Addressing each argument, the Receiver primarily contends that the relief sought is time-barred under Federal Rule of Civil Procedure 60(c)(1).

### ANALYSIS

The issue before the Court is whether a secured creditor's mortgage lien passes through this equitable receivership unaffected, despite the Receiver's failure to receive a proof of claim before the claims deadline of September 2, 2010. The Receiver knew of the mortgage lien from 2009 to date, as was evidenced by the interim reports noting the the BB&T loan "of approximately \$248,560.62" secured by a mortgage lien. On April 26, 2012, the Receiver informed BB&T that he had not received a proof of claim on the mortgage encumbering the Fairview Property. While BB&T emailed a copy of the proof of claim to the Receiver on that date, the issue of the validity of the proof of claim was not brought before this Court until this motion, which was filed almost three years later.

Rule 60(c)(1) allows one year after the entry of an order for a party to seek to reopen the order to obtain relief on the basis of mistake, inadvertence, surprise, or excusable neglect articulated in Rule 60(b)(1). Pioneer Inv. Servs. Co. v. Brunswick Associated Ltd. P'ship, 507 U.S. 380, 393, 113 S.Ct. 1489, 1497, 123 L.Ed.2d 74 (1993). The order of March 2, 2012, grants the Receiver's claims determination motion, which did not reference the loan on the Fairview Property. The March 2012 order approves the determination of claims, claim priorities, and the plan of distribution as set forth in the

claims determination motion. It further sets forth a claims objection procedure. To insure finality to the plan, the order declares “all further claims . . . and all proceedings or other effects to . . . otherwise collect on any lien . . . are hereby barred and enjoined. . . .”

BB&T did not seek to set aside the March 2012 order within one year, and the Receiver in a letter disclosed its position one month after the order was entered to the effect that BB&T was then precluded from asserting its claim with respect to the Fairview Property. Submissions of excusable neglect may not be considered here because one year elapsed from the entry of the March 2012 order,<sup>10</sup> long before this Court was requested to set aside the order as to the Fairview Property.

BB&T argues vehemently that this equitable receivership is akin to a bankruptcy proceeding, which excuses secured creditors from filing a proof of claim in the context of

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<sup>10</sup> Rule 60 “permits courts to reopen judgment for reasons of ‘mistake, inadvertence, surprise, or excusable neglect,’ but only on motion made within one year of the judgment.” Pioneer, 507 U.S. at 393. If this Court were to reach the issue of excusable neglect, however, BB&T’s burden of proof has not been met. Although there is no indication that BB&T did not act in good faith, it is evident that prejudice exists to both the victims of the fraud and the judicial administration of this receivership. See In re Intelligent Med. Imaging, Inc., 262 B.R. 142, 146 (Bankr. S.D.Fla. 2001). Unlike the order in Pioneer, the Court’s order is clear and unambiguous in the instant case. See In re Bautista, 235 B.R. 678, 683 (Bankr. M.D.Fla. 1999) (distinguishing Pioneer and finding no excusable neglect based on the unambiguous court orders); In re Norris, 228 B.R. 27, 32 (Bankr. M.D. Fla. 1998) (same). This Court’s citation to bankruptcy cases does not express an adoption of bankruptcy law to this equitable receivership, but merely points out that even under bankruptcy principles, there is no excusable neglect. See this Court’s prior order entered April 25, 2012, at docket 822 at pp. 12-13 and cases cited therein (“[A]lthough federal district courts presiding over federal equity receiverships, such as this SEC case, may look for guidance from bankruptcy law, [footnote omitted] they are not restricted by the dictates of bankruptcy law.”); and this Court’s order entered on August 29, 2013, at docket 1061 at pp. 7-8, reiterating its ruling at docket 822 (“Any attempted analogy between the significance of a proof of claim under bankruptcy law with respect to any presumption of its validity and one submitted in the course of this equity receivership is unavailing.”).

the Bankruptcy Code and rules promulgated thereunder. See, e.g., In re Bateman, 331 F.3d 821, 827 (11<sup>th</sup> Cir. 2003); In re Thomas, 883 F.2d 991 (11<sup>th</sup> Cir. 1989), cert. denied, 497 U.S. 1007, 110 S.Ct. 3245, 111 L.Ed.2d 756 (1990). This Court cannot begin to list, or even fathom, the intricacies, nuances and differences under the many specific provisions of the Bankruptcy Code and its rules, in trying to analogize any lack of requirement that a secured creditor file a proof of claim in any particular bankruptcy case to the unambiguous order in the present federal equity receivership requiring that claimants follow a particular procedure or suffer their claims forever barred. The burden rested on BB&T as a secured creditor to protect its rights pursuant to the framework clearly set forth in the conduct of this receivership. The claims process procedure did not contain any language exempting secured creditors from filing a proof of claim. Consequently, the failure to file a timely proof of claim, or timely submit evidence of excusable neglect, barred BB&T from enforcing the lien against the sale proceeds by asserting a claim against the receivership estate.

Finally, BB&T relies on Bankers Trust Co. v. Florida East Coast Ry. Co., 31 F.Supp. 961, 963 (S.D. Fla. 1940), as dispositive of this motion. Because the Bankers Trust court reasoned that the object of filing a proof of claim was to give a receiver notice of the existence of a claim, and because the Receiver in this case had notice that the claim existed since its initial interim reports, BB&T contends that it was exempt from filing a proof of claim. Bankers Trust is distinguishable on the law and its facts. This Court did

not act to alter the terms of a statute, as the court did in Bankers Trust. The orders in this equitable receivership are clear that the claim bar date and subsequent bar and injunction serve to impose finality, regardless of whether the Receiver had notice that a lien existed.

It is therefore **ORDERED AND ADJUDGED** that BB&T's Motion for Turnover of Sale Proceeds of Fairview Property Subject to Mortgage Interest (Dkt. 1159) is **DENIED**. The proceeds from the sale of the Fairview Property may be released to the receivership estate.

**DONE AND ORDERED** at Tampa, Florida, on April 15, 2015.

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

**COPIES FURNISHED TO:**  
Counsel of Record