

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

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

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

Defendants,

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

Relief Defendants.

ORDER

UPON DUE AND CAREFUL CONSIDERATION of the procedural history of this case, including a close and careful review of the Receiver's Motion for Permission to Prosecute Appeal and the attached exhibits denominated A through D (Dkt. 1202),¹ as well as the Eleventh Circuit Court of Appeals decision in Blasland, Bouck & Lee, Inc. v. City of N. Miami, 283 F.3d 1286 (11th Cir. 2002), it is **ORDERED AND ADJUDGED** that the motion is **granted**. The

¹ Exhibit A is reported at Wiand v. Dancing \$, LLC, 2015 WL 3866998 (M.D. Fla. 2015).

Receiver is authorized to pursue an appeal from the order entered in case number 8:10-cv-92-T-17MAP on June 23, 2015, at docket 150. In the Court's view, the appeal presents a significant issue with regard to the date an award of prejudgment interest should be made in what is commonly referred to as a "clawback" case.

DONE AND ORDERED at Tampa, Florida, on September 29, 2015.

s/Richard A. Lazzara

RICHARD A. LAZZARA
UNITED STATES DISTRICT JUDGE

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Counsel of Record