

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

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

v.

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

Defendants.

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

**ATTORNEY HUNTER W. CARROLL'S
CONSENTED MOTION FOR SUBSTITUTION OF COUNSEL**

Attorney Hunter W. Carroll, counsel of record for interested party La Bellasara Condominium Association, Inc. ("La Bellasara"), moves pursuant to local rule 2.03 to substitute counsel. In support, undersigned states:

1. Undersigned is counsel of record for La Bellasara. La Bellasara is a condominium association in Sarasota County.
2. As further detailed in the Receiver's Amended, Unopposed, Verified Motion for Approval of Sale of Real Property Located in Sarasota, Sarasota County, Florida [Doc. 1175], the Receiver took title and later sought to sell a unit in the condominium over which

La Bellasara is the governing condominium association. The Court permitted the sale of the unit and transferred "[a]ny and all existing claims, liens, and encumbrances relating to the property, including any held by . . . La Bellasara Condominium Association, Inc. . . to the proceeds of the sale ordered herein[.]" [Doc. 1177].

3. The proceeds of those funds remain in a segregated account and the matter has not been resolved. La Bellasara has an interest in the disposition of those funds.

4. On October 30, 2015, Governor Scott notified undersigned that he was appointing undersigned to a vacancy on the Twelfth Judicial Circuit Court for the State of Florida. This appointment requires undersigned to withdraw from all cases. It appears undersigned's commission is going to be dated November 23, 2015.

5. Martin Garcia has now filed a notice of appearance on behalf of La Bellasara. [Doc. 1205].

6. La Bellasara has consented to Mr. Garcia being substituted as counsel of record and to relieve undersigned from further responsibility in this matter. See Exhibit 1.

7. As noted in the the rule 3.01(g) certificate, there is no objection from Receiver's counsel or counsel for the SEC to the relief requested in this motion.

WHEREFORE, Hunter W. Carroll requests that the Court permit the substitution of Martin Garcia as counsel of record for La Bellasara Condominium Association, Inc. and to relieve Hunter W. Carroll of any further responsibility in this matter. Undersigned further requests that the Court act on this motion immediately given the quick turn-around time before undersigned assumes judicial office.

MEMORANDUM OF LAW

Local rule 2.03 permits withdrawal of an attorney on 10 days' notice to the client and opposing counsel. Here, La Bellasara Condominium Association, Inc. has agreed to the substitution of attorneys. Opposing counsel does not object. Accordingly, undersigned requests that the Court act on this motion without waiting 10 days.

LOCAL RULE 3.01(g) CERTIFICATION

On November 4, 2015, undersigned counsel contacted Jared Perez, counsel for the Receiver, concerning this motion. Counsel for the Receiver has advised that he does not object to the relief requested. On November 4, 2015, undersigned counsel spoke with Mr. Bob Levenson, counsel for the SEC. Counsel for the SEC has advised that he does not object to the relief requested.

Respectfully submitted,

/s/ Hunter W. Carroll

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Association, Inc.*

CERTIFICATE OF SERVICE

I CERTIFY on this 6th day of November, 2015, that I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Hunter W. Carroll