

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

Sam M. Gibbons U.S. Courthouse
Office of the Clerk
801 North Florida Avenue
Tampa, FL 33602
(813) 301-5400
www.flmd.uscourts.gov

Sheryl L. Loesch
Clerk

Keshia M. Jones
Tampa Division Manager

DATE: March 4, 2016

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

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.

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

Enclosed are documents and information relating to an appeal in the above-referenced action. Please acknowledge receipt on the enclosed copy of this letter.

- Honorable Richard A. Lazzara, United States District Judge appealed from.
- Appeal filing fee was paid. Copy of receipt transmitted to USCA on 3/4/16.
- Certified copy of Notice of Appeal, docket entries, judgment and/or Order appealed from

SHERYL L. LOESCH, CLERK

By: s/K. M., Deputy Clerk

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

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
11th Circuit, 15-12097-A
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**
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Intervenor Plaintiff

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Intervenor Plaintiff

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Intervenor Plaintiff

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Intervenor Plaintiff

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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

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by merger to Wachovia Bank, N.A.**

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Defendant

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Defendant

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Interpleader

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TERMINATED: 02/12/2009

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Intervenor

William F Bishop
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Interested Party

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Interested Party

Ami Marie Formica

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Interested Party

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TERMINATED: 04/08/2010

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V.

Movant

R. Craig Harrison

represented by **R. Craig Harrison**
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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.
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Movant

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

IBERIABANK

represented by **Traci H. Rollins**
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Movant

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Movant

Marguerite J. Nadel
TERMINATED: 09/08/2010

represented by **Marguerite J. Nadel**
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Movant

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Movant

Kelvin V. Lee
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Longwood, FL 32779

Movant

Diane Pezick
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Movant

Tyna Gaylor
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Fairfax Station, VA 22039

Movant

**Quest Energy Management Group,
Inc.**

c/o Jeff Downey, COO
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325/762-3281

represented by **James E. Felman**
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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

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Naples, FL 34104
TERMINATED: 09/04/2013

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

Movant

**First National Bank of
Albany/Breckenridge**

represented by **First National Bank of
Albany/Breckenridge**
c/o Colton Johnson
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Movant

United States Internal Revenue Service

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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 support for 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) |

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| 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, |

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| | | 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 <i>and Notice of Filing the Consent of Defendant Arthur Nadel to Entry of Preliminary Injunction and Other Relief</i> 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) |

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| 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 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) |
| 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> |

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| | | 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 in <i>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 | <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 <i>Compliance with Court's February 3, 2009 Order</i> (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> | |

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| | | 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) |

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| 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) |

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| 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 |

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| | | 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 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 <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> 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 |

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| | | 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) |

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| 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> |

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| | | 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> |

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| | | 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) |

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| | | (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> | |

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| | | 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 re: <i>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, # |

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| | | <p><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)</p> |
| 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) |

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| 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) |

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| 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 of <i>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 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 |

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| | | <p>– 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) |

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| 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 |

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| | | 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> | *** DISCHARGED pursuant to <u>276</u> Order *** 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 | | |

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| | | 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 <i>of 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 <i>Receiver's Motion for Order to Show Cause as to why Conservation Easement Should Not Be Extinguished (Doc. 236)</i> 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) |

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| 12/07/2009 | <u>250</u> | MOTION for protective order <i>by non-party</i> 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) |

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| 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 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) |
| 12/17/2009 | <u>260</u> | 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) |
| 12/17/2009 | <u>261</u> | 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) |
| 12/17/2009 | <u>262</u> | RESPONSE in opposition re <u>250</u> MOTION for protective order by <i>non-party</i> filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Sample Confidentiality Agreement)(Morello, Gianluca) (Entered: 12/17/2009) |
| 12/17/2009 | <u>263</u> | RESPONSE to motion re <u>250</u> MOTION for protective order by <i>non-party and to Order Directing Counsel's Response (DE 251)</i> filed by Securities and Exchange Commission. (Masel, Scott) (Entered: 12/17/2009) |
| 12/18/2009 | <u>264</u> | 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) |
| 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> | |

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| | | 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 to <i>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) |

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| | | 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, 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) |

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| 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 <i>re: The Taylor Family Limited Partnership and Jansen W. & 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> | | |

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| | | 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 re James Teng)(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. |

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| | | 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 | <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) |

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| 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 <i>re: Gerald 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) |

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| 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. |

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| | | 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 <i>re: 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) |

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| 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> | |

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| | | 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> | |

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| | | 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 | <u>387</u> | 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 |

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| | | 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 Hiron, as Trustee of the William Hiron 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 |

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| | | (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) |

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| | | 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 |

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| | | (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 Contempt 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. (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) |

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| 07/20/2010 | <u>441</u> | MOTION to Approve Settlement <i>re: 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 <i>re: 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) |

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| 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. |

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| | | 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 <i>and Request to Stop Electronic Notice</i> (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 |

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| | | 9/1/2010. (SKH) (Entered: 09/01/2010) |
| 09/01/2010 | <u>477</u> | 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 Judge 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 Electronic Notice (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) |

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| 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 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. |

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| | | (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> | |

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| | | 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 w/w Revery 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. |

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| | | 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> | |

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| | | 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 |

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| | | 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) |

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| 12/06/2010 | <u>558</u> | 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 | <u>565</u> | 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 |

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| | | <p>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)</p> |
| 12/10/2010 | <u>570</u> | <p>NOTICE canceling motion hearing scheduled for 12/13/2010 (MSS) (Entered: 12/10/2010)</p> |
| 12/10/2010 | <u>571</u> | <p>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 u/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)</p> |
| 12/10/2010 | <u>572</u> | <p>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)</p> |
| 12/10/2010 | | <p>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)</p> |
| 12/13/2010 | <u>573</u> | <p>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)</p> |
| 12/13/2010 | <u>574</u> | <p>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)</p> |
| 12/13/2010 | <u>575</u> | <p>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)</p> |
| 12/14/2010 | <u>576</u> | <p>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)</p> |
| 12/15/2010 | <u>577</u> | <p>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 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 –</p> |

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| | | <p>Scoop Receivership–Recovery of Commissions, # <u>7</u> Exhibit 7 – Scoop Receivership–Holland & 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 & 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. Signed by Judge Richard A. Lazzara on 12/17/2010. (MSS) (Entered: 12/17/2010)</p> |
| 01/05/2011 | <u>583</u> | <p>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)</p> |
| 01/05/2011 | <u>584</u> | <p>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)</p> |
| 01/10/2011 | <u>585</u> | <p>MOTION to Approve Settlement <i>re: Albert R. Gaskill, Jr., as Trustee of the Albar Management Profit Sharing Plan & Trust dtd 08/82</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A – Executed Settlement Agreement)(Lamont, Michael) (Entered: 01/10/2011)</p> |
| 01/10/2011 | <u>586</u> | <p>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)</p> |

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| 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 |

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| | | 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</i> |

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| | | <i>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 |

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| | | 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) |

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| 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 |

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| | | <p>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)</p> |
| 06/30/2011 | <u>645</u> | <p>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)</p> |
| 07/08/2011 | <u>646</u> | <p>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)</p> |
| 07/21/2011 | <u>647</u> | <p>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)</p> |
| 08/12/2011 | <u>648</u> | <p>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)</p> |
| 08/12/2011 | <u>649</u> | <p>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)</p> |
| 09/02/2011 | <u>650</u> | <p>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)</p> |
| 09/06/2011 | <u>651</u> | <p>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)</p> |
| 09/14/2011 | <u>652</u> | <p>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</p> |

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| | | <p>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)</p> |
| 09/21/2011 | <u>653</u> | <p>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)</p> |
| 09/21/2011 | <u>654</u> | <p>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)</p> |
| 09/22/2011 | <u>655</u> | <p>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)</p> |
| 09/22/2011 | <u>656</u> | <p>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)</p> |
| 09/23/2011 | <u>657</u> | <p>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)</p> |
| 10/05/2011 | <u>658</u> | <p>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)</p> |
| 10/06/2011 | <u>659</u> | <p>ORDER ATTACHED granting <u>658</u> Receiver's Motion to Approve Settlement with Steven Settlage 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)</p> |
| 10/18/2011 | <u>660</u> | <p>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)</p> |

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| 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 Settlage</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 Settlage 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 of <i>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) |

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| | | 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 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 & 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 & Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution & 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 |

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| | | 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 Procedure 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 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 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 (<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 Procedure 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 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 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 (<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> | |

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| | | 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 <i>filed by 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 |

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| | | 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 & Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution & 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 & Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution & Clearing, L.P. ("GSEC")</i> by Kelvin V. Lee. (JLH) (Entered: 01/17/2012) |

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| 01/17/2012 | <u>709</u> | OBJECTION re <u>679</u> Unopposed MOTION to Approve Settlement regarding Goldman Sachs Execution & Clearing, L.P. ("GSEC") Unopposed MOTION to Approve Settlement regarding Goldman Sachs Execution & Clearing, L.P. ("GSEC") 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 regarding Goldman Sachs Execution & Clearing, L.P. ("GSEC") Unopposed MOTION to Approve Settlement regarding Goldman Sachs Execution & Clearing, L.P. ("GSEC") by Diane Pezick. (JLH) (Entered: 01/17/2012) |
| 01/17/2012 | <u>711</u> | OBJECTION re <u>679</u> Unopposed MOTION to Approve Settlement regarding Goldman Sachs Execution & Clearing, L.P. ("GSEC") Unopposed MOTION to Approve Settlement regarding Goldman Sachs Execution & Clearing, L.P. ("GSEC") by Tyna Gaylor. (JLH) (Entered: 01/17/2012) |
| 01/17/2012 | <u>712</u> | 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 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 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 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 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) |
| 01/17/2012 | <u>713</u> | 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) |
| 01/17/2012 | <u>714</u> | 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 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 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 Unopposed MOTION for |

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| | | 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>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 & Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution & 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 & Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement <i>regarding Goldman Sachs Execution & 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) |

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| 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 regarding <i>Goldman Sachs Execution & Clearing, L.P. ("GSEC")</i> Unopposed MOTION to Approve Settlement regarding <i>Goldman Sachs Execution & 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) |

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| 02/06/2012 | <u>736</u> | NOTICE of <i>Limited</i> Appearance 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</i> Appearance 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</i> Appearance 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 pursuant to 28 U.S.C. §2001 to Appraise Receivership Real Property In Graham, North Carolina 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. (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 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 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</i> by Burton W. Wiand (Keefe, Sean) (Entered: 02/14/2012) |

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| 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 Motion of Wells Fargo Bank, N.A. (I) for Determination re Proofs of Claims 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 Receiver's Memorandum on Jurisdiction and Response to Wells Fargo Bank and Trste's Memorandum on Jurisdiction filed by Burton W. Wiand. (Cohen, Jonathan) (Entered: 02/23/2012) |
| 02/24/2012 | <u>758</u> | NOTICE of Limited Appearance 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 (Doc. No. 755) by Wells Fargo Bank, N.A.. (Wirth, Steven) (Entered: 02/27/2012) |
| 02/27/2012 | <u>760</u> | 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) |

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| 02/28/2012 | <u>761</u> | NOTICE by LandMark Bank of Florida of Intent to Rely on Briefs (Hoeck, Kathryn) (Entered: 02/28/2012) |
| 02/28/2012 | <u>762</u> | RESPONSE To Opposition to Late Claim Motion 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 for the hearing scheduled on March 2, 2012 at 9:00 a.m. 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 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 |

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| | | 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 Burton W. Wiand.</i> (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> | |

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| | | 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 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> | |

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| | | 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 ("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 ("Shoreline")</i> Unopposed MOTION to Approve Settlement regarding <i>Shoreline Trading Group, LLC ("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) |

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| 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 <i>re: 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> | |

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| | | 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 |

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| | | 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 |

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| | | 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 |

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| | | 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 Order Order 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 <i>of Attorney Hoeck's Request to be Removed from Mailing Matrix</i> (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 |

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| | | 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> | |

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| | | 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 |

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| | | 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 | <u>876</u> | 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> | |

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| | | 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 <i>re: 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 by Wells 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 by Wells 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> |

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| | | 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 & 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 & 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) |

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| 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 | <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 re: <i>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) |

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| 10/01/2012 | <u>919</u> | OBJECTION re <u>898</u> MOTION to Approve Settlement <i>with Holland & 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. |

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| | | 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) |

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| 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</i> |

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| | | <p><i>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, # <u>9</u> 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 & 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 & Hoge LLP, # <u>30</u> Exhibit 27–Cheney, Brock & Saudek, P.C., # <u>31</u> Exhibit 28–Jones & Keller, P.C., # <u>32</u> Exhibit 29–Proposed Order)(Morello, Gianluca) (Entered: 12/05/2012)</p> |
| 12/14/2012 | <u>951</u> | 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) |
| 12/18/2012 | <u>952</u> | 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) |
| 12/19/2012 | <u>953</u> | 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) |
| 12/20/2012 | <u>954</u> | 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) |
| 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) |

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| 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 re: <i>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 re: <i>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 re: Samuel Ross Morgan, III 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) |

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| 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 <i>and 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> | | |

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| | | 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> | |

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| | | 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. |

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| | | 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) |

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| 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) |
| 05/23/2013 | <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, |

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| | | 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 re: <i>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 |

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| | | 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. 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 & 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 & 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 & 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) |
| 07/11/2013 | <u>1038</u> | 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) |
| 07/15/2013 | <u>1039</u> | 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) |
| 07/16/2013 | <u>1040</u> | |

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| | | 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 535i 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) |

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| 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 |

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| | | 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)</i> (Entered: 09/19/2013) |
| 09/23/2013 | <u>1070</u> | RESPONSE in Opposition 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</i> |

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| | | <i>Suppo filed by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Morello, Gianluca) (Entered: 09/23/2013)</i> |
| 09/25/2013 | <u>1071</u> | Unopposed MOTION for Settlement <i>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</i> 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 <i>Receiver's Fourteenth Interim Report (March 1, 2013 – August 31, 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: 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 |

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| | | 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 |

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| | | 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)</i> , specifically, settlement with Band Weintraub, P.L. 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) |

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| 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) |
| 01/15/2014 | <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) |

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| 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) |
| 05/30/2014 | <u>1118</u> | MOTION for miscellaneous relief, specifically for Order Overruling Objections to Determinations of Claim Numbers 462, 463, 464, 465, 466, |

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| | | 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 Sixteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals (September 1, 2013 through January 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 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 |

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| | | 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) |
| 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 the <i>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 |

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| | | 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, |

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| | | 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. (<i>Renewed</i>) 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) |

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| 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) |
| 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) |

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| 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> | 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 |

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| | | <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 | 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) (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> | ORDER ATTACHED denying <u>1159</u> Motion for Release of Funds. Signed by Judge Richard A. Lazzara on 4/15/2015. (CCB) (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 | ENDORSED ORDER denying as moot <u>1173</u> Motion for Order of Sale. Signed by Judge Richard A. Lazzara on 4/15/2015. (CCB) (Entered: 04/15/2015) |
| 04/29/2015 | <u>1177</u> | 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) (Entered: 04/29/2015) |
| 05/12/2015 | <u>1178</u> | 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) |
| 05/13/2015 | <u>1179</u> | TRANSMITTAL of initial appeal package to USCA consisting of copies of notice of interlocutory appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>1178</u> Notice of appeal. (KMB) (Entered: 05/13/2015) |
| 05/13/2015 | | USCA appeal fees received \$ 505 receipt number tpa30129 re <u>1178</u> Notice of appeal filed by Branch Banking & Trust Co. Successor to Colonial Bank NA (ARC) (Entered: 05/13/2015) |

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| 05/14/2015 | | | TRANSMITTAL to USCA forwarding Receipt for appeal filing fee re <u>1178</u> Notice of interlocutory appeal USCA number: unknown. (KMB) (Entered: 05/14/2015) |
| 06/03/2015 | <u>1180</u> | | TRANSCRIPT information form filed by Branch Banking & Trust Co. Successor to Colonial Bank NA re <u>1178</u> Notice of appeal. USCA number: 15-12097-A. (Dombovary, Elizabeth) (Entered: 06/03/2015) |
| 06/04/2015 | <u>1181</u> | | STATUS report <i>The Receiver's Eighteenth Interim Report (11/1/14 - 4/30/15)</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: 06/04/2015) |
| 06/12/2015 | <u>1182</u> | | MOTION for Settlement re: <i>Brian L. Meeker, as trustee of the Brian L. Meeker Trust</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A - Executed Settlement Agreement)(Lamont, Michael) (Entered: 06/12/2015) |
| 06/12/2015 | <u>1183</u> | | ORDER ATTACHED granting <u>1182</u> Receiver's Motion for Settlement with Brian L. Meeker, individually and as trustee of Brian L. Meeker Trust, and associated with Case No. 8:10-cv-166-T-17MAP. Signed by Judge Richard A. Lazzara on 6/12/2015. (CCB) (Entered: 06/12/2015) |
| 07/27/2015 | <u>1184</u> | | Unopposed MOTION for Settlement in <i>Burton W. Wiand, as Receiver v. Rowe, et al.</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 - Agreement Relating to Payment of Judgment)(Lamont, Michael) (Entered: 07/27/2015) |
| 07/27/2015 | <u>1185</u> | | ORDER ATTACHED granting <u>1184</u> the Receiver's Motion for Settlement with Donald Rowe, individually and as trustee of the Wall Street Digest Pension Plan, Joyce Rowe, and Carnegie Asset Management, and associated with Case No. 8:10-cv-245-T-17MAP. Signed by Judge Richard A. Lazzara on 7/27/2015. (CCB) (Entered: 07/27/2015) |
| 07/28/2015 | <u>1186</u> | | Unopposed MOTION for Settlement re: <i>Branch Banking and Trust Company (BB)</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A)(Morello, Gianluca) (Entered: 07/28/2015) |
| 07/28/2015 | <u>1187</u> | | ORDER ATTACHED granting <u>1186</u> the Receiver's Motion for Settlement with Branch Bank and Trust Company. Signed by Judge Richard A. Lazzara on 7/28/2015. (CCB) (Entered: 07/28/2015) |
| 08/04/2015 | <u>1188</u> | | Unopposed MOTION for miscellaneous relief, specifically for Possession of Certain Bank Accounts Controlled by Arthur Nadel and Partial Modification of Asset Freeze by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A - Proposed Order)(Morello, Gianluca) .(KMM) (Entered: 08/04/2015) |
| 08/04/2015 | <u>1189</u> | | ORDER granting <u>1188</u> Motion specifically for Possession of Certain Bank Accounts Controlled by Arthur Nadel and Partial Modification of Asset Freeze by Burton W. Wiand. Signed by Judge Richard A. Lazzara on 8/4/2015. (SKH) (Entered: 08/04/2015) |
| 08/12/2015 | <u>1190</u> | | |

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| | | MOTION for miscellaneous relief, specifically Motion to Overrule Objections to Claims 403, 404, 405, 406, 407, 408, and 477 by Burton W. Wiand. (Morello, Gianluca) (Entered: 08/12/2015) |
| 08/12/2015 | <u>1191</u> | DECLARATION of Gianluca Morello re <u>1190</u> MOTION for miscellaneous relief, specifically Motion to Overrule Objections to Claims 403, 404, 405, 406, 407, 408, and 477 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: 08/12/2015) |
| 08/12/2015 | <u>1192</u> | Declaration of M. Yip by Burton W. Wiand re <u>1190</u> MOTION for miscellaneous relief, specifically Motion to Overrule Objections to Claims 403, 404, 405, 406, 407, 408, and 477 <i>Notice of Filing Declaration of Maria Yip</i> (Attachments: # <u>1</u> Exhibit M. Yip Declaration, # <u>2</u> Exhibit Ex. 1 to M. Yip Declaration, # <u>3</u> Exhibit Ex. 2 to M. Yip Declaration, # <u>4</u> Exhibit Ex. 3 to M. Yip Declaration, # <u>5</u> Exhibit Ex. 4 to M. Yip Declaration, # <u>6</u> Exhibit Ex. 5 to M. Yip Declaration, # <u>7</u> Exhibit Ex. 6 to M. Yip Declaration, # <u>8</u> Exhibit Ex. 7 to M. Yip Declaration, # <u>9</u> Exhibit Ex. 8 to M. Yip Declaration, # <u>10</u> Exhibit Ex. 9 to M. Yip Declaration, # <u>11</u> Exhibit Ex. 10–1 to M. Yip Declaration, # <u>12</u> Exhibit Ex. 10–2 to M. Yip Declaration, # <u>13</u> Exhibit Ex. 11 to M. Yip Declaration, # <u>14</u> Exhibit Ex. 12 to M. Yip Declaration, # <u>15</u> Exhibit Ex. 13 to M. Yip Declaration, # <u>16</u> Exhibit Ex. 14 to M. Yip Declaration, # <u>17</u> Exhibit Ex. 15 to M. Yip Declaration, # <u>18</u> Exhibit Ex. 16 to M. Yip Declaration, # <u>19</u> Exhibit Ex. 17 to M. Yip Declaration, # <u>20</u> Exhibit Ex. 18 to M. Yip Declaration, # <u>21</u> Exhibit Ex. 19 to M. Yip Declaration, # <u>22</u> Exhibit Ex. 20 to M. Yip Declaration, # <u>23</u> Exhibit Ex. 21 to M. Yip Declaration, # <u>24</u> Exhibit Ex. 22 to M. Yip Declaration, # <u>25</u> Exhibit Ex. 23 to M. Yip Declaration, # <u>26</u> Exhibit Ex. 24 to M. Yip Declaration, # <u>27</u> Exhibit Ex. 25 to M. Yip Declaration, # <u>28</u> Exhibit Ex. 26 to M. Yip Declaration, # <u>29</u> Exhibit Ex. 27 to M. Yip Declaration, # <u>30</u> Exhibit Ex. 28 to M. Yip Declaration, # <u>31</u> Exhibit Ex. 29 to M. Yip Declaration, # <u>32</u> Exhibit Ex. 30 to M. Yip Declaration, # <u>33</u> Exhibit Ex. 31 to M. Yip Declaration, # <u>34</u> Exhibit Ex. 32 to M. Yip Declaration, # <u>35</u> Exhibit Ex. 33 to M. Yip Declaration, # <u>36</u> Exhibit Ex. 34 to M. Yip Declaration, # <u>37</u> Exhibit Ex. 35 to M. Yip Declaration, # <u>38</u> Exhibit Ex. 36 to M. Yip Declaration, # <u>39</u> Exhibit Ex. 37 to M. Yip Declaration, # <u>40</u> Exhibit Ex. 38 to M. Yip Declaration, # <u>41</u> Exhibit Ex. 39 to M. Yip Declaration, # <u>42</u> Exhibit Ex. 40 to M. Yip Declaration, # <u>43</u> Exhibit Ex. 41 to M. Yip Declaration, # <u>44</u> Exhibit Ex. 42 to M. Yip Declaration, # <u>45</u> Exhibit Ex. 43 to M. Yip Declaration, # <u>46</u> Exhibit Ex. 44 to M. Yip Declaration, # <u>47</u> Exhibit Ex. 45 to M. Yip Declaration, # <u>48</u> Exhibit Ex. 46 to M. Yip Declaration, # <u>49</u> Exhibit Ex. 47 to M. Yip Declaration, # <u>50</u> Exhibit Ex. 48 to M. Yip Declaration, # <u>51</u> Exhibit Ex. 49 to M. Yip Declaration, # <u>52</u> Exhibit Ex. 50 to M. Yip Declaration, # <u>53</u> Exhibit Ex. 51 to M. Yip Declaration, # <u>54</u> Exhibit Ex. 52 to M. Yip Declaration, # <u>55</u> Exhibit Ex. 53 to M. Yip Declaration, # <u>56</u> Exhibit Ex. 54 to M. Yip Declaration, # <u>57</u> Exhibit Ex. 55 to M. Yip Declaration, # <u>58</u> Exhibit Ex. 56 to M. Yip Declaration, # <u>59</u> Exhibit Ex. 57 to M. Yip Declaration, # <u>60</u> Exhibit Ex. 58 to M. Yip Declaration, # <u>61</u> Exhibit Ex. 59 to M. Yip Declaration, # <u>62</u> Exhibit Ex. 60 to M. Yip Declaration, # <u>63</u> Exhibit Ex. 61 to M. Yip Declaration)(Morello, Gianluca) Modified on 8/12/2015 (KMM). (Entered: 08/12/2015) |

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| 08/19/2015 | <u>1193</u> | ORDER of USCA: Motion to dismiss case with prejudice filed by Appellant Branch Banking & Trust Co. Successor to Colonial Bank NA is GRANTED. [7547898-2] Parties are to bear their own costs and attorneys' fees as to <u>1178</u> Notice of appeal filed by Branch Banking & Trust Co. Successor to Colonial Bank NA. EOD: 8/19/15; USCA number: 15-12097-AA. (JNB) (Entered: 08/19/2015) |
| 08/27/2015 | <u>1194</u> | ORDER granting <u>1190</u> Motion to Overrule Objections to Claims. Signed by Judge Richard A. Lazzara on 8/27/2015. (SKH) (Entered: 08/27/2015) |
| 08/28/2015 | <u>1195</u> | Pro Se RESPONSE to Motion re <u>1190</u> MOTION for miscellaneous relief, specifically Motion to Overrule Objections to Claims 403, 404, 405, 406, 407, 408, and 477 filed by Chester Vincentz. (KMM) (Entered: 08/28/2015) |
| 08/28/2015 | <u>1196</u> | Nineteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and His Professionals (November 1, 2014 through April 30, 2015) by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit 1 - Standardized Fund Accounting Report, # <u>2</u> Exhibit 2 - The Receiver's Eighteenth Interim Report, # <u>3</u> Exhibit 3 - Prior Interim Motions for Orders Awarding Fees, # <u>4</u> Exhibit 4 - Scoop Receivership-Representation of Scoop Receivership, # <u>5</u> Exhibit 5 - Scoop Receivership-Recovery from Investors, # <u>6</u> Exhibit 6 - Scoop Receivership-Recovery of Commissions, # <u>7</u> Exhibit 7 - Scoop Receivership-Quest Energy Management Group, Inc., # <u>8</u> Exhibit 8 - Scoop Receivership-Appeal of R. Schneiderman, et al., # <u>9</u> Exhibit 9 - Categorization and Summary of all 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 - Scoop Legal Team-Recovery from Investors, # <u>13</u> Exhibit 13 - Scoop Legal Team-Recovery of Assets from N. and C. Moody, # <u>14</u> Exhibit 14 - Scoop Legal Team-Recovery of Commissions, # <u>15</u> Exhibit 15 - James, Hoyer, Newcomer & Smiljanich, P.A., # <u>16</u> Exhibit 16 - James, Hoyer, Newcomer & Smiljanich, P.A. re appeal, # <u>17</u> Exhibit 17 - Scoop Legal Team-Quest Energy Management Group, Inc., # <u>18</u> Exhibit 18 - Scoop Legal Team-Appeal of R. Schneiderman, et al., # <u>19</u> Exhibit 19 - PDR Certified Public Accountants, # <u>20</u> Exhibit 20 - E-Hounds, Inc., # <u>21</u> Exhibit 21 - The RWJ Group, LLC, # <u>22</u> Exhibit 22 - Yip Associates, # <u>23</u> Exhibit 23 - Brannock & Humphries, # <u>24</u> Exhibit 24 - Scott Douglass & McConico LLP, # <u>25</u> Exhibit 25 - Law Office of D. Harris and Law Office of A. Anderson, # <u>26</u> Exhibit 26 - Proposed Order)(Morello, Gianluca) Modified text on 8/28/2015 (KMM). (Entered: 08/28/2015) |
| 09/02/2015 | <u>1197</u> | RESPONSE to Motion re <u>1190</u> MOTION for miscellaneous relief, specifically Motion to Overrule Objections to Claims 403, 404, 405, 406, 407, 408, and 477 filed by Chester Vincentz. (KMM) (Entered: 09/02/2015) |
| 09/02/2015 | <u>1198</u> | ORDER ATTACHED accepting docket 1195 as a timely filed response and concluding that Claimants' objections should remain overruled. Signed by Judge Richard A. Lazzara on 9/2/2015. (CCB) (Entered: 09/02/2015) |

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| 09/14/2015 | | | Mail returned as Undeliverable re: <u>1185</u> Order on Motion for Settlement. Unable to forward mail to Donald Rowe. (KMM) (Entered: 09/14/2015) |
| 09/15/2015 | <u>1199</u> | | MOTION for miscellaneous relief, specifically Overrule Objection to Determination of Claim Number 469 filed by MMG Bank by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Morello, Gianluca) (Entered: 09/15/2015) |
| 09/16/2015 | <u>1200</u> | | NOTICE Of filing Amended Certificate of Service as to by Burton W. Wiand re <u>1199</u> MOTION for miscellaneous relief, specifically Overrule Objection to Determination of Claim Number 469 filed by MMG Bank (Morello, Gianluca) Modified on 9/17/2015 (BSN). (Entered: 09/16/2015) |
| 09/18/2015 | <u>1201</u> | | ORDER granting <u>1196</u> Unopposed Receiver's Nineteenth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and his Professionals. Signed by Judge Richard A. Lazzara on 9/18/2015. (SKH) (Entered: 09/18/2015) |
| 09/28/2015 | <u>1202</u> | | Unopposed MOTION for miscellaneous relief, specifically Permission to Prosecute Appeal 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: 09/28/2015) |
| 09/29/2015 | <u>1203</u> | | ORDER ATTACHED granting <u>1202</u> Receiver's Motion for Permission to Prosecute Appeal. Signed by Judge Richard A. Lazzara on 9/29/2015. (CCB) (Entered: 09/29/2015) |
| 10/01/2015 | <u>1204</u> | | ORDER ATTACHED granting <u>1199</u> Receiver's Motion to Overrule Objection to Determination of Claim Number 469. Signed by Judge Richard A. Lazzara on 10/1/2015. (CCB) (Entered: 10/01/2015) |
| 11/06/2015 | <u>1205</u> | | NOTICE of Appearance by Martin Garcia on behalf of La Bellasara Condominium Association, Inc. (Garcia, Martin) (Entered: 11/06/2015) |
| 11/06/2015 | <u>1206</u> | | Consent MOTION to Substitute Attorney by La Bellasara Condominium Association, Inc.. (Attachments: # <u>1</u> Exhibit)(Garcia, Martin) (Entered: 11/06/2015) |
| 11/06/2015 | 1207 | | ENDORSED ORDER granting <u>1206</u> Motion to Substitute Attorney Martin Garcia for La Bellasara Condominium. Attorney Hunter Wyman Carroll terminated. The clerk is directed to effectuate the substitution. Signed by Judge Richard A. Lazzara on 11/6/2015. (CCB) (Entered: 11/06/2015) |
| 12/04/2015 | <u>1208</u> | | STATUS report <i>The Receiver's Nineteenth Interim Report (5/1/15 – 10/31/15)</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: 12/04/2015) |
| 12/07/2015 | <u>1209</u> | 142 | MOTION for miscellaneous relief, specifically Determination that Wells Fargo Bank, N.A.'s Failure to Comply with this Court's Claims Administration Process Extinguished Its Purported Interests in Receivership Properties by Burton W. Wiand. (Keefe, Sean) (Entered: 12/07/2015) |

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| 12/07/2015 | <u>1210</u> | DECLARATION of Burton W. Wiand, as Receiver re <u>1209</u> MOTION for miscellaneous relief, specifically Determination that Wells Fargo Bank, N.A.'s Failure to Comply with this Court's Claims Administration Process Extinguished Its Purported Interests in Receivership Properties by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit Laurel Preserve Loan Invoice, # <u>2</u> Exhibit Letter from Wells Fargo Bank, N.A.)(Keefe, Sean) (Entered: 12/07/2015) |
| 12/11/2015 | <u>1211</u> | Unopposed MOTION for Attorney Fees (<i>Twentieth Motion</i>) by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit Standardized Fund Accounting Report, # <u>2</u> Exhibit Rec's 19th Interim Report, # <u>3</u> Exhibit Prior Listing of Interim Motions, # <u>4</u> Exhibit Representation of Scoop Receivership, # <u>5</u> Exhibit Recovery from Investors, # <u>6</u> Exhibit Recovery of Assets from N. and C. Moody, # <u>7</u> Exhibit Recovery of Commissions, # <u>8</u> Exhibit Quest Energy Management Group, Inc., # <u>9</u> Exhibit Appeal of R. Schneiderman, et al, # <u>10</u> Exhibit Categorization and Summary of all WGK Costs, # <u>11</u> Exhibit Attorney Fee Schedule, # <u>12</u> Exhibit Scoop Capital, LLC Receivership, # <u>13</u> Exhibit Recovery from Investors, # <u>14</u> Exhibit Recovery of Assets from N. and C. Moody, # <u>15</u> Exhibit Recovery of Commissions, # <u>16</u> Exhibit James Hoyer Newcomer & Smiljanich PA, # <u>17</u> Exhibit James Hoyer Newcomer & Smiljanich PA re appeal, # <u>18</u> Exhibit Quest Energy Management Group, Inc., # <u>19</u> Exhibit Appeal of R. Schneiderman, et al, # <u>20</u> Exhibit PDR Certified Public Accountants, # <u>21</u> Exhibit E-Hounds, Inc., # <u>22</u> Exhibit The RWJ Group, Inc., # <u>23</u> Exhibit Yip Associates, # <u>24</u> Exhibit Brannock & Humphries, # <u>25</u> Exhibit Scott Douglass McConnico, # <u>26</u> Exhibit Stichter Riedel Blain & Postler PA, # <u>27</u> Exhibit Law Office of D. Harris and Law Office of A. Anderson, # <u>28</u> Exhibit FedReceiver, # <u>29</u> Exhibit Proposed Order)(Morello, Gianluca) (Entered: 12/11/2015) |
| 12/11/2015 | <u>1212</u> | Unopposed MOTION for miscellaneous relief, specifically <i>to approve fifth interim distribution</i> by Burton W. Wiand. (Attachments: # <u>1</u> Exhibit Distribution Schedule, # <u>2</u> Exhibit Reserves, # <u>3</u> Exhibit Proposed Order)(Morello, Gianluca) (Entered: 12/11/2015) |
| 12/15/2015 | <u>1213</u> | ORDER granting <u>1212</u> Unopposed MOTION for miscellaneous relief, specifically to approve fifth interim distribution by Burton W. Wiand. Signed by Judge Richard A. Lazzara on 12/15/2015. (SKH) (Entered: 12/15/2015) |
| 12/22/2015 | <u>1214</u> | NOTICE of unavailability of counsel by Wells Fargo Bank, N.A. from December 23, 2015 to January 7, 2016. (Shaheen, Louis) (Entered: 12/22/2015) |
| 12/22/2015 | <u>1215</u> | NOTICE of unavailability of counsel by Wells Fargo Bank, N.A. from December 23, 2015 to January 7, 2016. (Wirth, Steven) (Entered: 12/22/2015) |
| 12/23/2015 | <u>1216</u> | RESPONSE in Opposition re <u>1209</u> MOTION for miscellaneous relief, specifically Determination that Wells Fargo Bank, N.A.'s Failure to Comply with this Court's Claims Administration Process Extinguished Its Purported Interests in Receivership Properties <i>and for Release of Proceeds of Sale of Sarasota Property</i> filed by Wells Fargo Bank, N.A.. (Wirth, Steven) (Entered: 12/23/2015) |

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| 12/23/2015 | <u>1217</u> | | REQUEST for oral argument re <u>1216</u> Response in Opposition to Motion for Determination that Wells Fargo Bank, N.A.'s Failure to Comply with this Court's Claims Administration Process Extinguished its Purported Interest In Receivership Properties, and for Release of Proceeds of Sale of Sarasota Property by Wells Fargo Bank, N.A.. (Wirth, Steven) (Entered: 12/23/2015) |
| 12/28/2015 | <u>1218</u> | | ORDER granting <u>1211</u> Unopposed Receiver's Twentieth Interim Motion for Order Awarding Fees, Costs, and Reimbursement of Costs to Receiver and his Professionals. Signed by Judge Richard A. Lazzara on 12/28/2015. (SKH) (Entered: 12/28/2015) |
| 12/28/2015 | 1219 | | ENDORSED ORDER directing the Receiver Burton W. Wiand to REPLY to Response in Opposition re <u>1209</u> Motion to determine that Wells Fargo Bank's failure to comply with this Court's Claims Administration Process extinguished its purported interests in receivership properties and for lease of proceeds of sale of Sarasota property. Reply due by 1/11/2016. Signed by Judge Richard A. Lazzara on 12/28/2015. (SKH) (Entered: 12/28/2015) |
| 01/08/2016 | <u>1220</u> | | NOTICE of unavailability of counsel by Wells Fargo Bank, N.A. from January 22, 2016 to through January 29, 2016. (Wirth, Steven) (Entered: 01/08/2016) |
| 01/11/2016 | <u>1221</u> | | REPLY to Response to Motion re <u>1209</u> MOTION for miscellaneous relief, specifically Determination that Wells Fargo Bank, N.A.'s Failure to Comply with this Court's Claims Administration Process Extinguished Its Purported Interests in Receivership Properties filed by Burton W. Wiand. (Keefe, Sean) (Entered: 01/11/2016) |
| 02/02/2016 | <u>1222</u> | 168 | ORDER ATTACHED granting <u>1209</u> Receiver's Motion Determination that Wells Fargo's Failure to Comply with this Court's Claims Administration Process Extinguished Interests, as set forth in the attached order. Signed by Judge Richard A. Lazzara on 2/2/2016. (CCB) (Entered: 02/02/2016) |
| 02/18/2016 | <u>1223</u> | | Pro-Se MOTION for miscellaneous relief, specifically to utilize CM/ECF by Paul Downey. (Attachment # <u>1</u> Mailing Envelope) (KMM) (Entered: 02/18/2016) |
| 02/18/2016 | <u>1224</u> | | ORDER denying without prejudice <u>1223</u> Pro-Se Motion for miscellaneous relief, specifically to utilize CM/ECF by Paul Downey. Mr. Downey may resubmit his request with a detailed explanation as to why he needs to access this case through the CM/ECF system. Signed by Judge Richard A. Lazzara on 2/18/2016. (SKH) (Entered: 02/18/2016) |
| 03/02/2016 | <u>1225</u> | | COUNSEL NOTIFIED TO REFILE USING CORRECT EVENT CODE UNDER APPEAL DOCUMENTS NOTICE by Wells Fargo Bank, N.A. of Appeal (Attachments: # <u>1</u> Exhibit A)(Wirth, Steven) Modified on 3/3/2016 (BSN). (Entered: 03/02/2016) |
| 03/03/2016 | <u>1226</u> | 178 | NOTICE OF APPEAL as to <u>1222</u> Order on Motion for Miscellaneous Relief by Wells Fargo Bank, N.A.. Filing fee not paid. (Attachments: # <u>1</u> Exhibit A)(Wirth, Steven) (Entered: 03/03/2016) |

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| 03/03/2016 | <u>1227</u> | | TRANSCRIPT information form filed by Wells Fargo Bank, N.A. re <u>1226</u> Notice of appeal. (Wirth, Steven) (Entered: 03/03/2016) |
| 03/03/2016 | | 195 | USCA appeal fees received \$ 505 receipt number tpa35272 re <u>1226</u> Notice of appeal filed by Wells Fargo Bank, N.A. (ARC) (Entered: 03/03/2016) |
| 03/04/2016 | | 191 | TRANSMITTAL to USCA forwarding copy of docket entry re: receipt for appeal filing fee re <u>1226</u> Notice of appeal USCA number: unknown. (KMM) (Entered: 03/04/2016) |

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

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

Defendants.

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

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.

**RECEIVER’S MOTION (I) FOR DETERMINATION THAT WELLS FARGO
BANK, N.A.’S FAILURE TO COMPLY WITH THIS COURT’S CLAIMS
ADMINISTRATION PROCESS EXTINGUISHED ITS PURPORTED
INTERESTS IN RECEIVERSHIP PROPERTIES, AND (II) FOR RELEASE OF
PROCEEDS OF SALE OF SARASOTA PROPERTY.**

Burton W. Wiand, as Receiver (the “Receiver”), for Valhalla Investment Partners, L.P. (“Valhalla Investment”); Viking Fund, LLC (“Viking Fund”); Viking IRA Fund, LLC, (“Viking IRA Fund”); Victory Fund, Ltd. (“Victory Fund”); Victory IRA Fund, Ltd. (“Victory IRA Fund”); and Scoop Real Estate, LP (“Scoop Real Estate”) (collectively, the “Hedge Funds”) respectfully files this Motion (I) For Determination that

Wells Fargo Bank, N.A.’s Failure to Comply with this Court’s Claims Administration Process Extinguished Its Purported Interests in Receivership Properties, and (II) For Release of Proceeds of Sale of Sarasota Property (“Motion”).¹

In relevant part, Wells Fargo Bank, N.A.² (“Wells Fargo” or “the Bank”) identifies itself as follows: (1) a second priority secured lender with respect to the approximately 420 acres held by the Receiver in Buncombe and McDowell counties, North Carolina (“Laurel Mountain Property”) and (2) a loan servicer on a first priority secured loan held by Bank of America (“BoA”) and a second priority secured lender on former Receivership property located at 464 Golden Gate Point, Unit 703, Sarasota, Florida (the “Sarasota Property”) (collectively, “the Properties”). The Receiver sold the Sarasota Property (*See* Docs. 1175 and 1177) and any interests Wells Fargo had in it were transferred to the proceeds of the sale until resolution by the Court. The Laurel Mountain Property currently remains an asset of the Receivership. This Motion relates to these Properties and loans.

Wells Fargo never submitted a claim related to either of the Properties. As demonstrated below, in April 2011—months after this Court’s Claims Bar Date—the Receiver provided the Bank an opportunity to submit a belated Proof of Claim, and that if it believed there were circumstances justifying its failure to submit a timely claim, the

¹ The parties previously briefed this matter (see Docs. 740, 755, 762) but the Court deferred ruling pending resolution of *Wiand v. Wells Fargo Bank, N.A.*, et al Case No. 8:12-cv-557 (M.D. Fla.) (See Doc. 955). That matter is pending before the Eleventh Circuit Court of Appeals on the Receiver’s appeal of summary judgment in favor of Wells Fargo. (*See Burton Wiand v. Wells Fargo Bank N.A.*, Case No. 15-10968-CC (11th Cir.)). However, the Receiver respectfully believes that in light of opinions recently issued by this Court barring purported secured and unsecured creditors who failed to timely file proofs of claim from recovering from the Receivership Estate, the result of the Receiver’s appeal will not impact the narrow range of procedural arguments relevant to this Motion. Consequently, the Receiver submits that these limited issues are now ripe for adjudication.

² Wells Fargo Bank, N.A. is successor-in-interest to Wachovia Bank, N.A.

Receiver would consider them. Wells Fargo refused to respond to the Receiver's instructions. Instead, the Bank moved for a determination by this Court that the filing of proofs of claim is not necessary to preserve secured creditors' state law security interests in, and claims against, collateral in the Receiver's possession, or in the alternative, leave to file late claims pursuant to Federal Rule of Civil Procedure 60(b) ("Motion for Determination") (Doc. 740).

Wells Fargo's obstinacy on this matter has frustrated the Receiver's attempts to dispose of the Properties. Although the Court previously deferred ruling on the Motion for Determination, the pending appeal of the Receiver's case against Wells Fargo will not impact the arguments for denial made in this motion. Accordingly, the Receiver brings this Motion to resolve some outstanding issues so that he can proceed with selling and distributing Receivership assets to move closer towards winding down the Receivership.

Of specific relevance, this Court has already held that secured creditors like Wells Fargo must file timely proof of claim forms in compliance with the claims administration process to preserve their claims, just as unsecured creditors must. As such, Wells Fargo's status as a secured creditor does not excuse its failure to file timely proof of claims forms. Additionally, the Bank is not entitled to any relief under Rule 60(b) because its request was untimely and it did not meet its burden of establishing "excusable neglect." Accordingly, the Receiver respectfully requests entry of an order granting this Motion³.

CHRONOLOGY OF RELEVANT DATES

³ Wells Fargo has yet to file claims related to the Properties. As such, the Receiver's arguments articulated herein pertain exclusively to the procedural relief sought by the Bank (*see* Doc. 740). Should this Court allow Wells Fargo to file belated claims, or determine that, as a secured creditor, it did not need to file claims, the Receiver reserves his right to approve or reject such claims on their merits. So as to preserve Receivership assets, the Receiver is not addressing the merits of any of Wells Fargo's claims at this stage.

Wells Fargo alleges it was not on notice of the claims administration process and that its failure to timely file proof of claims was the result of “excusable neglect.” (*See, e.g.*, Docs. 690, 740, 762). Below is a chronology of dates relevant to these assertions.

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| Feb. 11, 2009 | Order expanding Receivership to include Laurel Preserve, LLC, entity holding title to Laurel Mountain Property. (Doc. 44) |
| Feb. 13, 2009 | Orders appointing Receiver and expanding Receivership to include Laurel Preserve, LLC filed in Buncombe County, N.C., where part of Laurel Mountain Property is located. (Doc. 713, ¶8). |
| Mar. 9, 2009 | Receiver sends letter to Wells Fargo Legal Group identifying Laurel Preserve, LLC as Receivership Entity and enclosing copy of Order expanding the Receivership to include Laurel Preserve, LLC. (Doc. 713-5). |
| Mar. 17, 2009 | Wachovia’s counsel sends letter to Receiver advising that Wachovia issued mortgage to Laurel Preserve and that loan is in default. (Doc. 713-6). |
| Mar. 25, 2009 | Order of Preliminary Injunction and Order expanding Receivership to include Laurel Preserve, LLC filed in McDowell County, N.C., where part of Laurel Mountain Property is located. (Doc. 713, ¶12). |
| Apr. 8, 2009 | Order of Preliminary Injunction filed in Buncombe County, N.C. (Doc. 713, ¶9). |
| June 9, 2009 | Wells Fargo’s counsel emails Receiver regarding his marketing of Laurel Mountain and advising that Wells Fargo issued mortgage related to the property. (Doc. 713-7, p.5). |
| June 10, 2009 | Receiver files Order Reappointing Receiver in W. D. of North Carolina, where Buncombe County is located. (Doc. 713-1). |
| June 26, 2009 | Wells Fargo’s counsel emails Receiver advising the Bank wants to have appraisal performed of Laurel Mountain. (Doc. 713-7, p.9). |
| July 22, 2009 | Receiver emails Wells Fargo’s counsel to provide update regarding marketing Laurel Mountain (Doc. 713-7, p.11). |
| Jan. 28, 2010 | Order granting Receiver possession of and title to Sarasota Property. (Doc. 327). |
| Jan. 29, 2010 | Receiver mails copy of Notice of Filing to counsel for both BoA and Wells Fargo. This notice includes: (a) Order appointing Receiver; (b) Order of Preliminary Injunction; and (c) Order granting Receiver title to Sarasota Property. (Doc. 756-3). |
| Feb. 1, 2010 | Receiver files Notice of Filing in foreclosure action styled <i>Bank of America, National Association v. Neil Moody, et al.</i> Case No. 2009 CA 017517 NC (12th Cir. Fla.). (Doc. 756-2). |
| Feb. 4, 2010 | Receiver emails Wells Fargo’s counsel to set conference call to discuss Laurel Mountain. (Doc. 713-7, p.16). |
| Feb. 25, 2010 | Order granting Receiver title to Sarasota Property is recorded in |

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| | Official Records of Sarasota County, Florida. (Doc. 756-1). |
| Apr. 21, 2010 | Order granting Receiver's motion to approve procedure to administer claims and proof of claim forms and to establish deadline for filing proof of claims. (Doc. 391) |
| June 4, 2010 | Receiver mails claim packets to BoA and Wells Fargo. (Docs. 713-10; 756-5). |
| Sept. 2, 2010 | Claims Bar Deadline. |
| Sept. 2, 2010 | Wells Fargo timely files its Claim Form for Rite-Aid Property, but does not file claim form for either of the Properties. (Doc. 713-11). |
| Oct. 28, 2010 | Receiver emails counsel for BoA and Wells Fargo reiterating that Receiver has possession of Sarasota Property and requesting both provide itemized payoff figures. Only Wells Fargo responds. (Doc. 756-6). |
| Nov. 2, 2010 | Receiver again emails BoA and Wells Fargo's counsel requesting BoA's itemized payoff figure. BoA responds that it will provide the requested information. (Doc. 756-8). |
| Nov. 22, 2010 | Wells Fargo sends a letter to Receiver informing that it possesses loan payoff information but needed borrower's authorization. (Doc. 756-9). |
| Dec. 30, 2010 | Wells Fargo confirms to Receiver's counsel that it is servicer on first mortgage loan, currently assigned to BoA, and that it originated second mortgage in amount of \$880,000 on May 23, 2006. Letter additionally states that Wells Fargo will not negotiate fees or costs with Receiver. (Doc. 756-10). |
| Jan. 26, 2011 | Receiver again informs Wells Fargo that Sarasota Property is part of Receivership Estate and that Wells Fargo is prohibited from interfering with Receiver's possession of the Property. (Doc. 756-11). |
| Feb. 17, 2011 | Wells Fargo sends Receiver a Beneficiary's Demand Statement related to Sarasota Property which provided details of all fees and costs. (Doc. 756-12). |
| Apr. 5, 2011 | Receiver sends Wells Fargo letter advising that claims bar date expired, but that it is free to submit a claim with an explanation for its failure to timely file. (Doc. 713-8). |
| July 21, 2011 | Findings of Fact and Conclusion of Law and Order Vacating Easement entered in <i>Wiand v. Carolina Mtn. Land Conservancy</i> , Case No. 8:09-cv-2443-T-27BM (M.D. Fla. May 24, 2011) filed in Buncombe County. (Doc. 713-2). |

BACKGROUND

On April 21, 2010, the Court granted the Receiver's motion to, in relevant part, approve a procedure to administer claims and proof of claim forms ("POCs") and to

establish a deadline for filing POCs. (Doc. 391.) The Order directed that each “entity that asserts a claim against the Receivership arising out of or related in any way to the acts, conduct, or activities of Receivership Entities must submit an original, written Proof of Claim ... **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** ...” (“Claim Bar Date”). Order ¶ 2 (emphasis in original). Further, it explained that any “entity that fails to submit a Proof of Claim ... on or before the Claim Bar Date ... shall be forever barred and precluded from asserting any claim against the Receivership or Receivership Entities ...” *Id.*

In accordance with the procedures adopted by the Court, the Receiver provided notice to every potential claimant by mailing a claim packet consisting of a cover letter, a Notice of Deadline Requiring Filing Of Proofs Of Claims On Or Before September 2, 2010 (“Claim Bar Date Notice”), and a Proof of Claim form. (Doc. 713-10.) The cover letter explained that, “[m]ost importantly, to have your claim considered, you **MUST** submit a completed and signed Proof of Claim form ... that provides responses to all of the questions in the Proof of Claim form, so that it is **received on or before September 2, 2010** at the address provided in the Proof of Claim Form and Notice.” *Id.* Similarly, the Claim Bar Date Notice explained that “the Court entered an order (the “**Claim Bar Date Order**”) establishing September 2, 2010 (the “**Claim Bar Date**”) as the last date for each person or entity ... to file a Proof of Claim against the Receivership Entities.” Claim Bar Date Notice at 2-3. It also explained that “[i]f you think that you may have a claim, you **MUST** file a Proof of Claim to share in distributions from the Receivership Estate.” *Id.* at 3. It added that,

If you were not an investor, but believe you are or may be a creditor of one o[r] of the Receivership Entities, you must provide to the Receiver by the Claim Bar Date (1) the amount you contend you are owed from any Receivership Entity; (2) any amounts received from any Receivership Entity; and (3) legible copies of all documents on which you base your claim (i.e., all invoices for services or goods provided, loan documents, etc.) or, if any such documents are not available, a detailed explanation as to why any such documents are not available.

Id. at 4. Finally, the Claim Bar Date Notice warned as follows:

4. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE BAR DATE

ANY HOLDER OF A CLAIM OR POTENTIAL CLAIM THAT FAILS TO FILE A PROOF OF CLAIM ... BY THE CLAIM BAR DATE WILL BE FOREVER BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE RECEIVERSHIP ENTITIES ... THEIR RESPECTIVE PROPERTY, THE RECEIVER, OR THE RECEIVERSHIP ESTATE, AND FROM PARTICIPATING IN ANY DISTRIBUTION FROM THIS RECEIVERSHIP.

Id. at 5 (emphasis in original). The Proof of Claim form itself explained that “to be eligible to receive a distribution from the Receivership Entities’ assets, you must complete and return this Proof of Claim form and, if applicable, provide the requested documentation, so that it is received on or before **September 2, 2010**” *Id.* at 10. It adds that, “IF THIS COMPLETED FORM, SIGNED UNDER PENALTY OF PERJURY, IS NOT RECEIVED BY THE RECEIVER ... BY **SEPTEMBER 2, 2010**, YOU WILL BE FOREVER BARRED FROM ASSERTING ANY CLAIM AGAINST THE RECEIVERSHIP ENTITIES’ ASSETS AND YOU WILL NOT BE ELIGIBLE TO RECEIVE ANY DISTRIBUTIONS FROM THE RECEIVER.” *Id.*(emphasis in original).

Wells Fargo Had Proper Notice Of Its Need To File A Claim Relating To Its Purported Interest In Laurel Mountain. Wells Fargo has been on notice of this Receivership, of the Laurel Mountain Property’s association with the Receivership, of the

requirement of filing a claim and of the Claim Bar Date for years. Wells Fargo received the claim packet and understood its contents as demonstrated by its timely filing of a pre-printed Proof of Claim form mailed by the Receiver. (Doc. 712 at 9; Doc. 713 ¶ 24). That claim, however, related **only** to its loan purportedly secured by real property generally referred to in this Receivership as the “Rite Aid Property”, and **not** to either of the Properties. (*See, e.g.*, Docs. 713-11, 713-12). The Receiver informed Wells Fargo of this Receivership shortly after it started (Doc. 690-2) and of Laurel Preserve, LLC’s (the record owner of the Laurel Mountain Property) inclusion in the Receivership on March 9, 2009—less than a month after it was included in the Receivership (Doc. 713-5). On March 17, 2009, counsel for Wells Fargo informed the Receiver of its security interest in the Laurel Mountain Property (Doc. 713-6), and communications between Wells Fargo and the Receivership relating to that property continued (Doc. 713-7). Further, on June 4, 2010, the Receiver mailed a claim packet to Wells Fargo that specifically identified Laurel Preserve as a Receivership entity and, as detailed above, clearly explained the claims process and consequences of not filing a timely claim. (Doc. 713-10).

Notably, on April 5, 2011, the Receiver’s counsel informed Wells Fargo’s counsel in writing that the Claim Bar Date had expired in September 2010, and added that if “[Wells Fargo] believes there are circumstances that justify its failure to file a Proof of Claim, it remains free to submit one and an explanation for the delay and any other materials or information which it deems appropriate.” (Doc. 713-8). That letter also explained that if Wells Fargo did not file a claim, “then its interest will not be considered by the Receiver, and the Court....” *Id.* Despite the Receiver’s invitation, Wells Fargo did not respond or file a claim.

Wells Fargo Had Proper Notice Of Its Need To File A Claim Relating To The Sarasota Property.

Similarly, both Wells Fargo (the servicer on one relevant loan and holder of a second relevant loan) and BoA (the holder of the relevant loan serviced by Wells Fargo) received timely notice relating to the Sarasota Property and both had notice of this property's inclusion in this Receivership before the Claim Bar Date. The Court approved this property's inclusion in the Receivership on January 28, 2010 (the "Sarasota Property Order") (Doc. 327). BoA had initiated a foreclosure proceeding and the case was pending at that time. (*See* Doc. 324 at 2, 10.). On February 1, 2010, the Receiver filed in the foreclosure proceeding a notice of filing accompanied by the Sarasota Property Order, the Order Appointing Receiver, the Order of Preliminary Injunction and Other Relief as to Defendants Scoop Capital, LLC and Scoop Management, Inc. and All Relief Defendants, and an Order Reappointing Receiver. (Doc. 756-2). He also served a copy of this notice and orders on BoA's and Wells Fargo's attorneys in the foreclosure case on January 29, 2010. (Doc. 756-3, 4). On February 25, 2010, a copy of the Sarasota Property Order was recorded in the Sarasota County public records. (Doc. 756-1).

As previously noted, the Receiver then mailed to Wells Fargo a claims packet on June 4, 2010, which Wells Fargo received and understood. A claim packet was also mailed to BoA on June 4, 2010. (Doc. 756-5). After the Claim Bar Date, the Receiver's representatives continued to communicate with BoA's and Wells Fargo's respective outside counsel that were handling the Sarasota Property and internal employees about the Receivership and its control over that property. In those communications, it is evident the banks and their representatives were aware the Sarasota Property was part of the Receivership. (Doc. 756-6,7,8). Nevertheless, neither bank filed a claim relating to either

of the loans purportedly secured by the Sarasota Property.

ARGUMENT

Though it was on notice of its obligation to file POCs, Wells Fargo chose not to file POCs relating in any way to the Properties. Instead, months after the Claims Bar Date, it filed its Motion for Determination. Notably, Wells Fargo has the burden of proof on its Motion and its purported claims regarding the Properties. (*See* Doc. 675 at 82 (“The Claimant shall have the burden of proof.”)); (Doc. 776 (approving procedures set forth in Doc. 675)).

As argued below, the Motion for Determination should be denied because this Court has already held that secured creditors were required to comply with this Court’s order governing the claims administration process, just like unsecured creditors. Wells Fargo failed to do this and its status as a purported secured creditor did not relieve it of its obligation to comply with this Court’s process. Additionally, the Bank is not entitled to relief under Federal Rule of Civil Procedure 60(b) as a matter of law for two independent reasons: first, because it did not seek relief within the one-year period set forth in the rule, and second, because even if it had complied with that deadline, it did not satisfy the substantive requirements for relief under Rule 60(b).

I. THE COURT HAS ALREADY HELD IN THIS RECEIVERSHIP THAT SECURED CREDITORS MUST TIMELY FILE PROOFS OF CLAIMS TO BE ENTITLED TO PROCEEDS FROM THE RECEIVERSHIP ESTATE.

It is axiomatic that any person or entity with a claim against a receivership estate must assert that claim in the court overseeing the receivership, or it will be precluded from later pursuing its claims. *See Callahan v. Moneta Capital Corp.*, 415 F.3d 114, 117-18 (1st Cir. 2005) (potential claimants that did not submit their claims by bar date lacked

“standing to object to the adjudication of a pending claim in the Claims Disposition Order”); *SEC v. Princeton Econ. Int’l Ltd.*, 2008 WL 7826694, *4 (S.D.N.Y. 2008) (“All persons or entities with a claim that failed to file a proof of claim prior to the Bar Date and were not excused from filing a proof of claim under the Plan are forever barred, estopped, and permanently enjoined.”).

Nevertheless, Wells Fargo did not file any claims relating to the Properties and argued it did not have to because it is a secured creditor. However, the Court established an unambiguous claims process here with specific filing requirements and deadlines. (*See* Docs. 390, 391). Critically, Wells Fargo **complied with those deadlines with respect to the Rite Aid Property**, but did not comply with them with respect to the Properties in spite of receiving notice of its responsibilities. Thus, the Bank’s own actions are inconsistent with its position that no POC was necessary to preserve its purported secured claims.

This Court has already held in this Receivership that the requirement of filing timely claims applies to everyone, including secured creditors. Most recently, Branch Banking and Trust Company (“BB&T”) filed a motion substantively identical to Wells Fargo’s Motion for Determination. Specifically, BB&T moved for turnover of the proceeds from the sale of real property in which it had a secured interest. Like Wells Fargo here, BB&T failed to submit a timely claim despite having received notice, and argued that its status as a secured creditor exempted it from having to file a claim.

This Court rejected BB&T’s argument. Significantly, this Court explained that the order outlining the claims process in this Receivership was “unambiguous” and clearly required “that claimants follow a particular procedure or suffer their claims

forever barred.” (Doc. 1174 at p.7). Noting the inapplicability of the Bankruptcy Code and its rules to federal equity receiverships, the Court found that the burden rests on the 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.” *Id.* As such, BB&T’s failure to timely file a POC barred it from enforcing any interest it may have had in the sale proceeds. *Id.*

The Court also has refused to recognize other purported creditors’ late claims because they, like Wells Fargo, failed to comply with the claims procedures and deadlines promulgated in this case. For example, on March 1, 2013, investor Elendow LLC (“Ellendow”) filed a Motion To Modify Order Disallowing Claim, asking “the Court [to] reconsider that portion of its March 2, 2012 Order disallowing Elendow’s late-filed claim (Docket No. 776) and enter a new order allowing Elendow to participate in distributions to victims of Nadel’s schemes.” (Doc. 980 at 2). In opposing the motion, the Receiver explained Elendow’s many failures to comply with pertinent deadlines: (1) Elendow missed the September 2, 2010, deadline to file a Proof of Claim form by almost a month; (2) the Receiver then allowed Elendow the opportunity to explain the reasons for missing the deadline, but it did not timely respond to the Receiver’s letter; (3) after the Court denied Elendow’s claim, Elendow never submitted an objection although the objection deadline was March 28, 2012; and (4) instead, Elendow waited almost one year and filed its Motion seeking relief under Rule 60(b), which relief is only granted in extraordinary circumstances. (Doc. 990 at 1). Even after “[g]iving Elendow the benefit of the doubt” regarding contested facts, the Court denied its motion. (Doc. 1002 at 10; *see*

also Doc. 1204 (Order granting Receiver’s Motion to Overrule Objection to Determination of Claim of MMG Bank & Trust, Ltd., because it “failed to comply with the claims procedures and deadlines promulgated by this Court, and the information belatedly supplied in its objection did not cure the deficiency.”)).

Based on this precedent and other applicable cases, the Court should reach the same result here. Every creditor claiming an interest in Receivership property, whether the interest is secured or unsecured, unequivocally was required to file a timely claim with the Receiver to preserve its interests for adjudication by this Court. *Riehle v. Margolies*, 279 U.S. 218, 224 (1929) (“Of course, no one can obtain any part of the assets, or enforce a right to specific property in the possession of a receiver, except upon application to the court which appointed him.”); *see* Ralph E. Clark, *Clark on Receivers* § 646 at 1132 (3d ed. 1992) (“Every person who has any claim or demand against the estate or property in the custody of the court through the receiver, ... must assert such claim or demand in the court in which such receiver was appointed.”). For efficiency and finality, courts overseeing receiverships typically establish a claims process, require submission of claim forms, and set pertinent deadlines. *See Riehle*, 279 U.S. at 224 (“[I]n the receivership proof of the claim [must] be made in an orderly way, so that it may be established who the creditors are and the amounts due them.”). To achieve finality, courts also set a claim bar date and disallow late-filed claims. *See S.E.C. v. Princeton Econ. Int’l Ltd.*, 2008 WL 7826694, *4 (S.D.N.Y. 2008) (entering bar date); *Callahan v. Moneta Capital Corp.*, 415 F.3d 114, 117-18 (1st Cir. 2005) (potential claimants that did not submit claims by bar date lacked “standing to object to the adjudication of a pending claim in the Claims Disposition Order”).

Not a single **receivership** case supports Wells Fargo's position that secured creditors do not have to comply with the Court's claims process. Instead, the Bank relies exclusively on the Bankruptcy Code and its corresponding cases to support its argument. The Court has previously dispatched these cases in finding that the bankruptcy opinions do not control this federal equity receivership. (*See* Doc 822 at pp. 12-13 "[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."); (*see also* Doc 1061 at pp. 7-8 ("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 Court's reasoning is correct and there is copious authority supporting the Court's analytical distinction. *See, e.g., S.E.C. v. TLC Inv. & Trade Co.*, 147 F. Supp. 2d 1031, 1039 (C.D. Ca. 2001) ("Therefore, balancing the Applicants' position against the need to protect and marshal the assets of the Receivership estate, protect defrauded and innocent investors, and judicial economy, the Court DENIES the Applicants' request to require the Receiver to follow all aspects of the bankruptcy code."); *S.E.C. v. Sunwest Mgmt., Inc.*, 2009 WL 3245879, *8 (D. Or. 2009) ("Federal equity receivership courts are not required to exercise bankruptcy powers nor to strictly apply bankruptcy law."); *S.E.C. v. Heartland Group, Inc.*, 2003 WL 1089366, *1 n.1 (N.D. Ill. 2003) (rejecting argument that "receivership actions are different from other forms of litigation and are more akin to bankruptcy court proceedings"); *S.E.C. v. Capital Consultants LLC*, 453 F.3d 1166, 1170 n.4 (9th Cir. 2006) ("Although similarities between receivership and bankruptcy proceedings certainly exist, differences exist as

well.”); *Marion v. TDI, Inc.*, 2006 WL 3742747, *2 (E.D. Pa. 2006)(“a bankruptcy proceeding differs significantly from an equity receivership imposed at the request of a government agency such as the SEC.”).

Here, the Court’s claims process procedures did not exempt secured creditors from timely filing claims to preserve their interests in Receivership property. As demonstrated above, the Bank was given proper notice of its need to file POCs for the Laurel Preserve and Sarasota Properties. Moreover, Wells Fargo indisputably knew about the claims process (and its applicability to both secured and unsecured creditors) because it filed a POC with respect to the Rite Aid Property, and it received correspondence from the Receiver regarding that claim. This Court has now held that secured creditors were required to timely file POCs. Wells Fargo failed to do this and is precluded from asserting its claims with respect to the Properties. *See S.E.C. v. Morriss*, 2014 WL 585395, *3 (E.D. Mo. 2014) (nonparty who failed to file a claim by the claim bar date “ha[d] forfeited his rights to either claim or object to a distribution”); *S.E.C. v. Aquacell Batteries, Inc.*, 2009 WL 1854671, *1 (M.D. Fla. 2009) (disallowing claim filed after the claim bar date). Accordingly, the Court should find that Wells Fargo’s purported interests are extinguished.

II. WELLS FARGO’S REQUEST FOR RELIEF TO FILE UNTIMELY CLAIMS UNDER FEDERAL RULE OF CIVIL PROCEDURE 60(b) SHOULD BE DENIED

Wells Fargo also argues that its failure to timely file POCs regarding the Properties should be excused under the exceptions in Federal Rule of Civil Procedure 60(b)(1), which allows a court to relieve a party from a final judgment or order for “excusable neglect.” Relief under Rule 60(b)(6) is available only “upon a showing of

exceptional circumstances.” *Cavaliere v. Allstate Ins. Co.*, 996 F.2d 1111, 1115 (11th Cir.1993). Courts must consider “the danger of prejudice to the [non-moving party], the length of the delay and its potential impact upon judicial proceedings, the reason for the delay, including whether it was in the reasonable control of the movant, and whether the movant acted in good faith.” *Pioneer Inv. Servs. Co. v. Brunswick Associated Ltd. P’ship*, 507 U.S. 380, 395 (1993); *see also Canfield v. Van Atta Buick/GMC Truck, Inc.*, 127 F.3d 248, 249-50 (2d Cir.1997) (finding that while Pioneer involved the Bankruptcy Code, the analysis was equally applicable to Rule 60(b)).

Wells Fargo effectively asks the Court to modify its Order barring untimely claims and its request should be denied for two separate reasons. First, it fails as a matter of law because Wells Fargo has not complied with the strict one-year deadline for seeking relief under Rule 60(b)(1). Second, it fails because Wells Fargo has wholly failed to satisfy its burden of demonstrating “excusable neglect.”

A. Wells Fargo’s Request for Relief is Untimely Under Federal Rule 60(b).

Wells Fargo’s request for relief under Rule 60(b)(1) fails as a matter of law because any such motion **must** be made within one year of the entry of the order in question. *See* Fed. R. Civ. P. 60(c)(1) (emphasis added); *see also Pioneer Inv. Servs. Co.*, 507 U.S. at 393 (“The same is true of Rule 60(b)(1), which permits courts to reopen judgments for reasons of ‘mistake, inadvertence, surprise, or excusable neglect,’ but only on motion made within one year of the judgment”).

The Court’s Order establishing a Deadline for Filing Proofs of Claims (Doc. 391) was entered on April 21, 2010, and set a Claim Bar Date of September 2, 2010. This Order was “clear and unambiguous” and all parties, including Wells Fargo, were advised

that failure to comply with the Claims Bar Date would “forever bar[] and preclude[] [them] asserting any claim against the Receivership or Receivership Entities” (*See* Docs. 1174, p. 6, n. 10; 713-10). In other words, by operation of this court’s April 21, 2010 Order, Wells Fargo was barred from pursuing the purported interests underlying its Motion for Determination on September 2, 2010.

Under Rule 60(b)(1), at best for Wells Fargo, it had until September 2, 2011, which was one year after the Claims Bar Date (if not only until April 21, 2011), to seek relief under the “excusable neglect” standard since it became barred from pursuing any interest it may have had in the Properties on September 2, 2010.⁴ Wells Fargo, however, waited until February 8, 2012 to seek relief. (Doc. 740).

The Court has previously denied as untimely motions seeking to file late claims under Rule 60(b). (*See* Doc. 1174). Because like BB&T, Wells Fargo did not file its Motion for Determination within one year after it was barred from pursuing the interests it pursues in that Motion, as a matter of law Wells Fargo’s requested relief must be denied.

B. Wells Fargo Submitted No Relevant Proof And Otherwise Failed To Satisfy Its Burden Under Rule 60(b).

Even assuming *arguendo* that the Motion for Determination was timely filed, it should still be denied because Wells Fargo has not satisfied its burden for establishing excusable neglect. *See Pelican Production Corp. v. Marino*, 893 F.2d 1143 (10th Cir.

⁴ The Court’s March 2, 2012, Order 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 (Doc. 776) re-confirmed that any person or entity that failed to comply with the Claims Bar Date was barred from pursuing any claim. And while that Order also stated that the dispute between the Receiver and Wells Fargo over the Bank’s purported interests in the Properties would be resolved by a later order after the Court resolved Wells Fargo’s motion to disqualify the Receiver, that Order did not in any way change that the April 21, 2010 Order, unequivocally barred Wells Fargo from pursuing those interests on September 2, 2010.

1990) (“The burden is upon the party moving to have the judgment set aside to plead and prove excusable neglect.”). Wells Fargo does not “prove” excusable neglect because Wells Fargo offers almost no evidence to support a finding of excusable neglect, such as affidavits or declarations. Rather, Wells Fargo primarily relies on argument, which does nothing to prove excusable neglect.

Wells Fargo does attach a Declaration of Elizabeth A. Ryan (the “Ryan Declaration”) in support of its Motion (Doc. 740-E). However, the Ryan Declaration falls short of providing the requisite supporting evidence of excusable neglect. Ms. Ryan identifies herself as a “Mortgage Quality Assurance Analyst at Wells Fargo Home Equity Group” (Doc. 740-E, ¶ 1) and offers her unfounded opinion that “in [her] experience a secured lender is not required to file a Proof of Claim and can simply stand upon its state law property interest as evidenced by its mortgage and security interest.” (Doc. 740-E, ¶ 5). As discussed above, there is no support for this proposition in receivership law, and Ms. Ryan does not even specify that she is referring to her “opinion” in a receivership setting. Finally, Ms. Ryan declares that she did not receive notice of the above-captioned proceeding until April 2011, one year and five months after the bar date for filing Proofs of Claim in this case (September 2, 2010).

This is not evidence of excusable neglect. That a “mortgage analyst” incorrectly “presumed” (Doc. 740-E, ¶ 5) that secured creditors do not need to file claims in “a bankruptcy proceeding” is not tantamount to relevant evidence; it is simply an incorrect “opinion” of a Wells Fargo employee which has no relevancy in a federal equity receivership like this one and is insufficient as a matter of law to establish “excusable neglect.” *See McDowell-Bonner v. District of Columbia*, 668 F. Supp.2d 124 (D.C. Cir.

2009) (“inadvertence, ignorance of the rules, or mistakes construing the rules do not usually constitute ‘excusable’ neglect”) (internal citation omitted).

Moreover, although Ms. Ryan states that she did not receive notice of this proceeding until April 2011, she fails to identify what, if any, involvement or responsibility she had for the Properties or for deciding whether to file a claim. Further, Ms. Ryan makes no mention of whether other Wells Fargo employees or officers received timely notice of the instant proceedings well in advance of the Claim Bar Date. As shown by Wells Fargo’s filing of a claim relating to a different property (the Rite Aid Property) the clear answer is that Wells Fargo received timely notice and clearly understood the Court’s Order establishing the claims process, the Bank’s requirements under that Order, and the consequences of failing to abide by the Order.

The Receiver was not obligated to provide notice to every Bank employee or specifically to Ms. Ryan or any other “mortgage analyst.” He was simply required to provide notice reasonably calculated, under the circumstances, to apprise Wells Fargo of this Receivership and its right to file timely claims to preserve its interests. *See Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950) (“An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.”). The Receiver complied with this obligation, and the Bank received timely notice of the Claims Bar Date and of its obligation to file claims. If Wells Fargo did not have in place adequate internal procedures to protect its interests, that is the fault of Wells Fargo, and not of the Receiver, and it does not rise to the level of “excusable neglect.”

1. Wells Fargo, Not The Receiver, Has Been Responsible For The Long Delay.

As noted above, the Court's Rule 60(b) analysis must consider the length of Wells Fargo's delay in filing claims and the reason for the delay. *Pioneer Inv. Servs.*, 507 U.S. at 395. Without justification, Wells Fargo blames the Receiver for its failure to file its claims. (Doc. 740, p. 14). But rather than pointing to any facts demonstrating that the Receiver caused Wells Fargo's "delay," Wells Fargo superficially mentions that vague and unidentified complexities of its merger with a failed financial institution combined with its purported misunderstanding of this Court's Claim Bar Date caused its delay and also states that it did "not understand that its failure to file claims before the bar date could result in a loss of its valid state law property rights...." (*Id.*, p. 15). However, with respect to the "merger," Wells Fargo submits no supporting proof to show how any of that impacted its filing of claims. In fact, it did file a claim on the Rite Aid Property but does not explain how it knew to file that claim while not knowing to file claims with respect to the Properties. With respect to its lack of understanding that its rights could be terminated, this is not a valid ground for finding excusable neglect. *See Noah v. Bond Cold Storage*, 408 F.3d 1043 (8th Cir. 2005) ("Neither a mistake of law nor the failure to follow the clear dictates of a court rule constitutes excusable neglect"). It also is inconsistent with Wells Fargo's filing of a claim relating to the Rite Aid Property. That the Bank did file a claim to protect its purported security interest related to another property belies its dubious claim that its 2008 merger—nearly two full years before the claims bar deadline—precluded it from understanding the Court's Order.

As the record demonstrates, Wells Fargo was on notice of the scope of the Receivership and aware of the procedure for filing claims relating to its interests, was

aware of the deadline for filing claims, and had many communications with the Receiver's representatives. Its failure to timely file claims was, at best, a complete lack of diligence and thus not excusable neglect. *See Robinson v. Wix Filtration Corp, LLC.*, 599 F.3d 403 (4th Cir. 2010) (“A party that fails to act with diligence will be unable to establish that his conduct constituted excusable neglect”).

2. Wells Fargo Has Not Shown That It Acted In Good Faith.

Under Rule 60(b), the Court must consider whether Wells Fargo acted in good faith. *Pioneer Inv. Servs. Co.*, 507 U.S. 395. Wells Fargo does not establish that it acted in good faith⁵ in this proceeding. For example, as outlined above, Wells Fargo was on notice of this Court's and the Receiver's jurisdiction and control over the Laurel Mountain Property as far back as no later than March 2009. Communications between Wells Fargo and the Receivership continued through February of 2010. Wells Fargo's counsel sent a pair of letters to the Receiver in March 2011 which again identified Wells Fargo's interest in that property and demanded payment on the underlying loan. On April 5, 2011, the Receiver responded by letter to Wells Fargo advising the deadline for filing a claim had passed in September 2010, but that if “the Bank believes there are circumstances that justify its failure to file a Proof of Claim, it remains free to submit one and an explanation for the delay and any other materials or information which it deems appropriate.” (Doc. 713-8). Well Fargo ignored the Receiver.

Instead, without ever notifying the Court or the Receiver, in June (and again in July) 2011, Wells Fargo filed a petition in the criminal case against Nadel pending in the

⁵ Under Rule 60(b)'s “good faith” analysis, only Wells Fargo's conduct during the Receivership proceedings is relevant. As such, while its pre-receivership conduct during Nadel's scheme is relevant to the good faith inquiry under the Florida Uniform Fraudulent Transfer Act, the Bank's pre-Receivership conduct is irrelevant to the arguments in this Motion.

U.S. District Court for the Southern District of New York seeking adjudication of its alleged rights to the Laurel Mountain Property. Not only did Wells Fargo's inexplicable failure to serve or otherwise notify the Receiver or this Court of its petition demonstrate a lack of good faith, but it violated this Court's injunction. It violated the injunctive language of the Order Appointing Receiver (Doc. 8) enjoining all parties with notice of that Order – such as Wells Fargo – “from in any way disturbing the assets or proceeds of the receivership or from prosecuting any actions or proceedings which involve the Receiver or which affect the property of the Defendants or Relief Defendants....” *See also* Order Granting Second Unopposed Motion to Expand Scope of Receivership (Doc. 44) (including Laurel Mountain Preserve within the ambit of the Court's Order Appointing Receiver). Rather than filing a late claim, Wells Fargo sought to circumvent this Court and the Receiver in violation of an injunction by seeking relief in New York without giving notice to either this Court or the Receiver. As the Court may recall, it was displeased with Wells Fargo's conduct and found the Bank's jurisdictional arguments to be meritless. (*See* Doc. 786-1). Without question, Wells Fargo's has not acted in “good faith” during these proceedings.

3. Allowing Wells Fargo To File A Claim Nearly Five Years After The Deadline Will Prejudice The Receiver And Impact The Proceedings.

The consequences for the Receivership and the injured investors will be significant should Wells Fargo be allowed to file late claims. Wells Fargo is seeking preferential treatment by not having to comply with the same claims procedures that all other purported creditors were required to follow. Such preferential treatment is inconsistent with the equitable principles that govern this proceeding. Allowing the Bank

to file claims nearly five years after the Claims Bar Date would undermine the finality and absolute nature of the Claims Bar Date, and would encourage other claimants to attempt to either file late claims or seek to modify and supplement their previous submissions. The purpose of the Claims Bar Date is precisely to avoid these issues and create finality to the process.

Wells Fargo became aware of this Receivership no later than in a matter of weeks after the inception of this Receivership and, as a sophisticated party with sophisticated counsel, has known about its need to file claims to preserve its interests in Receivership property for equally as long. But in any event, it received the claims packet that was mailed on June 4, 2010, and thus cannot dispute that it received all the notice it was entitled to about what it had to do to preserve its interests and have them adjudicated. Yet, for reasons that still remain a mystery and for which there is no legal support, Wells Fargo chose not to file claims on the Laurel Mountain Property or the Sarasota Property.

As the Court has already found, allowing any late claims at this juncture will prejudice “both the victims of the fraud and the judicial administration of this receivership.” (Doc. 1164, at p.6) (citing *In re Intelligent Med. Imaging, Inc.*, 262 B.R. 142, 146 (Bankr. S.D. Fla. 2001). The rule against filing late claims is even more controlling in cases like this, where the Order establishing the claims process is “clear and unambiguous.” *Id.* (citing *In re Bautista*, 235 B.R. 678, 683 (Bankr. M.D. Fla. 1999) (finding no excusable neglect based on the unambiguous court orders).

The Bank’s conduct has already prejudiced the Receiver. For example, beginning in 2010, the Receiver attempted to sell the Sarasota Property, but was unable to do so because the title insurance company would not issue a policy as a result of Wells Fargo’s

purported security interest. (*See* Decl. of Burton W. Wiand, at ¶15). The Receiver attempted to negotiate with the Bank a fair and equitable resolution of its outstanding fees and costs associated with the Sarasota Property loans, but it refused to enter into any negotiations. (*Id.* at ¶14) Consequently, the title insurance company would not issue a policy showing the property was being transferred free and clear of all liens and encumbrances. (*Id.* at ¶15). The Receiver was not able to finally sell the Sarasota Property until April 2015. (*Id.*) Additionally, the Receiver has been unable to sell the Laurel Mountain Property because public records reflect that it is encumbered by Wells Fargo's purported lien for a loan that exceeds the current value of the Property. (*Id.* at ¶13)

While the Bank's intransigence has already prejudiced the Receiver, allowing late claims to now be filed—or to have allowed them to be have been filed when the Bank filed its Motion for Determination—will cause additional prejudice because he will be forced to expend Receivership resources in addressing this dispute to the detriment of the Receivership Estate. The main purpose of the claims process is to adjudicate all claims to receivership property in an efficient and timely manner, and to bring finality to those claims so that receivership assets can be distributed to victims. The Bank has already delayed that process, and allowing it to file claims now will prejudice the Receiver.

Further, allowing Wells Fargo to file late claims will also cause additional delay to these proceedings. Wells Fargo has made numerous filings related to the Properties and another Receivership property in this Court and even one in the Southern District of New York in violation of an injunction, causing delays in this proceeding that would have been avoided had Wells Fargo followed its obligation to timely participate in the claims process. To allow Wells Fargo to now submit additional claims will delay the

proceedings even further because of the time and resources needed to address the validity of those claims and, ultimately, delay distributions to defrauded investors. Equally importantly, it would also “open the door” for other would-be claimants who previously ignored the Claim Bar Date from seeking similar relief. The entire purpose of the Claim Bar Date is precisely to avoid situations like this which require receivers to waste scarce receivership resources to address Wells Fargo’s failure to comply with these procedures. And for that reason, the hurdle to overcome for receiving permission to file a late claim is very high. Wells Fargo’s showing falls far short of satisfying that hurdle, especially in light of its lack of good faith.

Scenarios like this one – in which a non-party forces a receiver to waste resources litigating its entitlement to receivership assets despite not having filed claims – are precisely those the claim bar date is meant to prevent. As this Court has already held, “[t]he 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.” (Doc. 1174, p. 8). Accordingly, the Receiver’s Motion should be granted.

CERTIFICATE UNDER LOCAL RULE 3.01(g)

Undersigned counsel for the Receiver has conferred with counsel for the SEC and is authorized to represent that the SEC does not oppose the relief requested in this motion. Undersigned counsel has conferred with counsel for Wells Fargo (and Bank of America through Wells Fargo, as servicer) and is authorized to represent that they do oppose the requested relief.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 7, 2015, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

Respectfully submitted,

JAMES HOYER, P.A.

/s/ Sean P. Keefe

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Attorney for the Receiver, Burton W. Wiand

**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

Before the Court is the Receiver's Motion (1) for Determination that Wells Fargo Bank, N.A.'s Failure to Comply with this Court's Claims Administration Process Extinguished its Purported Interests in Receivership Properties, and (II) for Release of Proceeds of Sale of Sarasota Property (Dkt. 1209), the Response of Wells Fargo Bank, N.A. (Wells Fargo) in Opposition and Request for Oral Argument (Dkts. 1216 & 1217), and the Receiver's Reply Brief and Opposition to Request for Oral Argument (Dkt.

1221). After careful consideration of the Motion, the submissions of the parties,¹ and the applicable law, the Court concludes the motion should be granted.

BACKGROUND

Three loans were given by Wells Fargo to receivership entities: the Rite Aid loan, the Laurel Preserve loan, and the second priority Moody loan. The loans were secured by the two properties referred to as the Laurel Mountain and Sarasota properties, which are the subject of the pending motion. The Laurel Mountain property became part of the receivership by order of February 11, 2009.² The Receiver initially contacted Wells Fargo about marketing the Laurel Mountain property, and Wells Fargo began sending loan statements in May 2009 for payment past due to the Receiver.³ Possession of and title to the Sarasota property was granted to the Receiver by order dated January 28, 2010,⁴ and the order was recorded in Sarasota County on February 25, 2010.⁵ At this time, the Laurel Mountain property is encumbered by Wells Fargo's lien for a loan in the

¹ Finding the paper submissions more than sufficient to decide the pending motion, the Court denies Wells Fargo's Request for Oral Argument (Dkt. 1217) as unnecessary.

² See docket 44.

³ See docket 1210, Exh. A (invoice). Wells Fargo was in communication with the Receiver regarding the Receiver's marketing of the property as evidenced by exchanged emails in June 2009. See docket 1210, para. 10 (citing docket 713-7, pp. 5 & 9).

⁴ See docket 327.

⁵ See docket 756-1.

amount of \$1.9 million,⁶ and the Sarasota property sold in April 2015 with proceeds of \$2,147,993.69.⁷

On April 21, 2010, this Court entered an order establishing a deadline for filing a Proof of Claim Form and setting a Claim Bar Date of September 2, 2010.⁸ On March 2, 2012, this Court entered an order approving the determination of certain claims and claim priorities, among other things, including the approval of a plan of distribution and a proper objection procedure.⁹ In the March 2012 order, this Court reserved ruling on Wells Fargo's dispute with the Receiver over the Sarasota and the Laurel Mountain properties,¹⁰ including the motion for determination that filing proofs of claim was unnecessary to preserve state law property rights in the properties, until Wells Fargo's motion to disqualify the Receiver and his law firm was decided.¹¹ The March 2012 order did not alter the Claim Bar Date of September 2, 2010.

⁶ See docket 1210, para. 6.

⁷ See docket 1177 (Order approving sale of Sarasota property entered April 29, 2015) and docket 1181, Exh. B, p. 8 (Receiver's Eighteenth Interim Report stating Sarasota property sold June 1, 2015, and attaching Exhibit B showing the amount of proceeds).

⁸ See docket 391.

⁹ See docket 776.

¹⁰ On February 8, 2012, Wells Fargo filed a motion for a determination that filing proofs of claim was unnecessary to preserve secured creditors' state law security interests regarding certain properties including the Laurel Mountain and Sarasota properties. See docket 740.

¹¹ See docket 776, para. 9.

As part of the claims administration process, the Receiver would mail a claims packet, which contained a Proof of Claim Form,¹² to “each investor who, according to the Receiver’s records, is associated with each pertinent account.”¹³ For creditors who were not investors, such as Wells Fargo regarding the Laurel Mountain and Sarasota properties, the Notice of Deadline Requiring Filing of Proofs of Claim provides that such non-investors must provide to the Receiver the amount claimed due, together with supporting documents, by the Claim Bar Date.¹⁴

In accordance with the claims administration process, the Receiver mailed one claims packet to Wells Fargo (then Wachovia) at its Atlanta, Georgia, address.¹⁵ The Receiver used the address listed in the documents provided by Wells Fargo on its loan invoices for the both the Laurel Preserve and Rite-Aid loans. The Laurel Preserve loan documents provide for notice by mail or delivery to one of two Roanoke, Virginia,

¹² The Proof of Claim Form was approved and referenced in the April 2010 order setting the Claim Bar Date. See docket 391 (“4. The Claims Administration Procedure as set forth in the Motion and Proof of Claim Form as attached to the Motion as Exhibit A are approved in all respects.”) and docket 390, Exh. A (Proof of Claim Form).

¹³ See docket 390, p. 8.

¹⁴ See docket 390, Exh. B, p. 4 (“If you were not an investor, but believe you are or may be a creditor of one or more of the Receivership Entities, you must provide to the Receiver by the Claim Bar Date (1) the amount you contend you are owed from any Receivership Entity; (2) any amounts received from any Receivership Entity; and (3) legible copies of all documents on which you base your claim (i.e., all invoices for services or goods provided, loan documents, etc.) or, if any such documents are not available, a detailed explanation as to why such documents are not available.”)

¹⁵ See docket 1216, p. 13, and docket 713, para. 23, Exh. 10.

addresses for Wachovia Bank.¹⁶ Although Wells Fargo received a claims packet from the Receiver, it never submitted a proof of claim with respect to either the Laurel Mountain or Sarasota properties. The Receiver informed Wells Fargo on April 5, 2011, that he had not received a proof of claim regarding the Laurel Mountain property, and that “its interest will not be considered by the Receiver” unless Wells Fargo “believes there are circumstances that justify its failure to file a Proof of Claim” and submits a proof of claim “and an explanation for the delay and any other materials or information which it deems appropriate.”¹⁷ The Receiver reminded Wells Fargo of the passage of the Claim Bar Date of September 2, 2010.

ARGUMENT

Wells Fargo argues, first, that the state property rights of a secured creditor trump a federal equitable receivership in that a secured creditor need not file a proof of claim in the receivership to maintain its priority interest, and any extinguishment of Wells Fargo’s security interests would violate the Fifth Amendment as an unconstitutional taking. Second, Wells Fargo argues that it should be permitted to file late proofs of claim for the Laurel Mountain and Sarasota properties as timely under Federal Rule of Civil Procedure 60(b)(1), and, in any event, Wells Fargo has shown excusable neglect for failing to file them earlier. The Receiver argues that Wells Fargo’s failure to file a proof of claim in the receivership results in the extinguishment of not only its rights to a cash distribution but

¹⁶ See docket 740-4, pp. 8 & 24 (Composite Exh. D attached to Wells Fargo’s Motion for Determination that Filing Proofs of Claim Not Necessary, filed February 8, 2012).

¹⁷ See docket 713-8, Exh. 8.

to its secured interests as well. The Court agrees with the Receiver and finds that Wells Fargo's security interests in the properties at issue were not preserved in this receivership because of its failure to file a proof of claim, its Rule 60(b) request filed before the March 2012 order was untimely, and the Receiver's failure to send more than one claims packet to Wells Fargo does not constitute excusable neglect under Rule 60.

ANALYSIS

The Court need look only to the conduct of Wells Fargo (formerly Wachovia) after the receivership was created in 2009, not before that time. The *sole* issue this Court will address is whether Wells Fargo was required to timely file a proof of claim to preserve its security interests in the two particular properties in these receivership proceedings.¹⁸ This Court has already established, however, that "each person or entity that asserts a claim against the Receivership" must submit a proof of claim by the Claim Bar date of September 2, 2010, and that "any person or entity that fails to submit" a proof of claim "shall be forever barred and precluded from asserting any claim."¹⁹ This means that a secured creditor must file a proof of claim before the Claim Bar Date.

¹⁸ The Court is well aware that the Receiver generally takes property subject to liens and encumbrances. Wells Fargo, however, seems to argue on the one hand that it should be allowed to seek redress to its collateral in these receivership proceedings, which would be subject to the claims administrative process, and on the other hand, that the proper procedure is to seek an order from this Court requesting the Receiver release the collateral or the injunction be set aside to enforce Wells Fargo's state law remedies against the collateral. See docket 1216, p. 10, citing Clark on Receivers and two cases. It appears from its submissions that Wells Fargo seeks to be excused from failing to file proofs of claim in the receivership proceedings.

¹⁹ See docket 1174 (Order Denying Turnover of Sales Proceeds of Fairview Property to BB&T).

Wells Fargo is not excused as a secured creditor from filing a proof of claim in this federal equitable receivership under the conduct of the proceedings established in this Court. As in the case of BB&T in this Court's prior order, the burden rests on Wells Fargo "to protect its rights pursuant to the framework clearly set forth in the conduct of this receivership."²⁰ Wells Fargo disagrees with this Court's prior order, arguing that a secured creditor's *in rem* rights to the collateral are distinct from its right to receive a cash distribution from the liquidation of general receivership assets. See SEC v. Spongetech Delivery Sys., 98 F.Supp.3d 530, 533 (E.D.N.Y. 2015);²¹ SEC v. Madison Real Estate Group, LLC, 647 F.Supp.2d 1271, 1276 (D. Utah 2009). While this may generally be true, a secured creditor must follow the dictates for protecting its rights to its collateral in the receivership proceedings by following the format outlined in the claims administration process for making a claim. The administrative process here requires both secured and unsecured creditors to comply with the process by filing a proof of claim.

Wells Fargo contends that the failure to file a proof of claim, at most, may prohibit its receiving payment for a deficiency claim. In making this argument, Wells Fargo further urges this Court to find a violation of the Takings Clause of the Fifth Amendment. The Receiver is correct that the Fifth Amendment is triggered by governmental action,²²

²⁰ See docket 1174, p. 7.

²¹ The Spongetech was not brought to this Court's attention when it issued the order on BB&T on April 15, 2015, as Spongetech was decided just two weeks earlier on March 31, 2015.

²² See Lingle v. Chevron U.S.A. Inc., 544 U.S. 528, 537, 125 S.Ct. 2074, 2081, 161 L.Ed.2d 876 (2005).

not the actions of a private receiver marshaling private assets to pay private parties. See United States v. Beszborn, 21 F.3d 62, 68 (5th Cir. 1994) (holding that receiver Resolution Trust Corporation acts as “private, non-governmental entity, and is not the Government”). Moreover, the taking must be for a public use. See Scott v. Jackson County, 297 F. App’x 623, 625-26 (9th Cir. 2008). No case has been cited to the Court that would subject the actions of a receiver in a federal equitable receivership to the Takings Clause.

Wells Fargo asks this Court to permit it to file a late proof of claim, because on February 8, 2012, it filed a motion for determination of whether the filing of a proof of claim was necessary or, in the alternative, for leave to file a late claim.²³ By filing the motion before the March 2012 order, Wells Fargo argues, it met the one-year deadline under Rule 60(b)(1). Wells Fargo relies on a prior order of this Court for the proposition that the start date of the one-year deadline began March 2, 2012.²⁴ The relevant start date of the one-year period for Wells Fargo’s claims, however, was not determined by the order denying the turnover of funds to BB&T. The prior order of this Court considering the turnover of funds to BB&T did not discuss any start date other than the date of the March 2012 order, because the parties did not argue an earlier date to the Court.²⁵

²³ See docket 740.

²⁴ See docket 1174 (Order denying BB&T’s Motion for Turnover of Sale Proceeds of Fairview Property Subject to Mortgage Interest).

²⁵ The Court did not consider and reject the position that Rule 60’s one-year period began prior to March 2012 on the Claim Bar Date in September 2010.

Here, the Receiver argues that the start date for purposes of Rule 60's one-year period falls on the Claim Bar Date of September 2, 2010. Consequently, the Receiver contends that Wells Fargo was required to file its Rule 60 motion by September 2, 2011. Wells Fargo, however, did not file its motion until February 2012. Between Wells Fargo's incorrect reliance on the prior BB&T order regarding the start date and the Receiver's choice of September 2, 2010, the Claim Bar Date, the Court finds for purposes of this motion, Rule 60's one-year period began to run on the Claim Bar Date.

With respect to excusable neglect, Wells Fargo argues that the Receiver mailed only one claims packet, despite the three separate loans given by Wells Fargo. It contends that the Receiver should have sent three separate claims packets, one for "each" account, and the Receiver should have mailed a claims packet for the Laurel Mountain property to one of two Roanoke, Virginia, addresses in accordance with the Laurel Preserve loan documents.²⁶ Wells Fargo returned only one completed Proof of Claim Form before the bar date for the purpose of a claim relating to a loan to Scoop Real Estate, L.P., secured by property in Graham, North Carolina (the Rite-Aid property), which is different from the Laurel Mountain property.²⁷ The Court finds that the claims administrative process did not require the Receiver to send separate claims packets for each of the loans, which involved a non-investor creditor. Despite notice and many communications with the Receiver regarding the Laurel Mountain and Sarasota properties

²⁶ See docket 740-4, pp. 8 & 24 (Composite Exh. D attached to Wells Fargo's Motion for Determination that Filing Proofs of Claim Not Necessary, filed February 8, 2012).

²⁷ See docket 713, para. 25, Exh. 11.

before the Claim Bar Date, Wells Fargo's failure to file timely proofs of claims by the Claim Bar Date, and even one year thereafter, is not excused by the Receiver's neglect in filing separate claims packets for each loan.

It is therefore **ORDERED AND ADJUDGED** that the Receiver's Motion (1) for Determination that Wells Fargo Bank, N.A.'s Failure to Comply with this Court's Claims Administration Process Extinguished its Purported Interests in Receivership Properties, and (II) for Release of Proceeds of Sale of Sarasota Property (Dkt. 1209) is **GRANTED** to the extent that this Court finds that Wells Fargo failed to comply with the claim administrative process and its failure did not constitute excusable neglect for purposes of Rule 60.

It is further **ORDERED AND ADJUDGED** that this order shall not become final until the time for filing a notice of appeal has expired and no notice of appeal was filed or, if a notice of appeal is timely filed, until the appellate process has terminated with an affirmance of this order.

DONE AND ORDERED at Tampa, Florida, on February 2, 2016.

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

COPIES FURNISHED TO:
Counsel of Record

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

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

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

Defendants,

CASE NO.: 8:09-00087-T-26TBM

**SCOOP REAL ESTATE, L.P.,
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VICTORY IRA FUND, LTD.,
VICTORY FUND, LTD.,
VIKING IRA FUND, LLC.,
VIKING FUND, LLC., and
VIKING MANAGEMENT, LLC.**

Relief Defendants.

NOTICE OF APPEAL

NOTICE IS GIVEN that Wells Fargo Bank, N.A. ("Wells Fargo"), a non-party creditor holding security interests in properties subject to this receivership, for itself and as loan servicer for Bank of America, N.A., who also holds security interests in property subject to this receivership, appeals to the United States Court of Appeals for the Eleventh Circuit from the Order of this Court Granting the Receiver's Motion (I) for Determination that Wells Fargo Bank, N.A.'s Failure to Comply with this Court's Claims Administration Process Extinguished its Purported Interests in Receivership Properties, and (II) for Release of

Proceeds of Sale of Sarasota Property ("Order"). [Doc. 1222] Wells Fargo appeals in its capacities as both holder of its own security interests and as servicer for Bank of America, N.A.

The Order is appealable pursuant to 28 U.S.C. § 1291 and the doctrine of practical finality because it finally determines the right to immediate possession of property and will cause irreparable harm to non-party Wells Fargo if the Order cannot be appealed until after a final order terminating this receivership. See *In re F.D.R. Hickory House, Inc.*, 60 F.3d 724, 726-27 (11th Cir. 1995) (doctrine of practical finality allows immediate appeals of orders which decide the right to the property in contest or direct immediate payment); *Ortho Pharm. Corp. v. Sona Distrib.*, 847 F.2d 1512, 1516-17 (11th Cir. 1988) (finding doctrine of practical finality allows immediate appeal by non-party of order requiring payment of monetary sanctions). The Order is attached hereto as **Exhibit A**.

Dated: March 2, 2016

Respectfully submitted,

AKERMAN LLP

/s/ Steven R. Wirth

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Florida Bar No.: 212385

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Counsel for Wells Fargo Bank, N.A.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via electronic service upon all CM/ECF parties on this 2nd day of March, 2016.

/s/Steven R. Wirth

Attorney

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

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BACKGROUND

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amount of \$1.9 million,⁶ and the Sarasota property sold in April 2015 with proceeds of \$2,147,993.69.⁷

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¹² The Proof of Claim Form was approved and referenced in the April 2010 order setting the Claim Bar Date. See docket 391 (“4. The Claims Administration Procedure as set forth in the Motion and Proof of Claim Form as attached to the Motion as Exhibit A are approved in all respects.”) and docket 390, Exh. A (Proof of Claim Form).

¹³ See docket 390, p. 8.

¹⁴ See docket 390, Exh. B, p. 4 (“If you were not an investor, but believe you are or may be a creditor of one or more of the Receivership Entities, you must provide to the Receiver by the Claim Bar Date (1) the amount you contend you are owed from any Receivership Entity; (2) any amounts received from any Receivership Entity; and (3) legible copies of all documents on which you base your claim (i.e., all invoices for services or goods provided, loan documents, etc.) or, if any such documents are not available, a detailed explanation as to why such documents are not available.”)

¹⁵ See docket 1216, p. 13, and docket 713, para. 23, Exh. 10.

addresses for Wachovia Bank.¹⁶ Although Wells Fargo received a claims packet from the Receiver, it never submitted a proof of claim with respect to either the Laurel Mountain or Sarasota properties. The Receiver informed Wells Fargo on April 5, 2011, that he had not received a proof of claim regarding the Laurel Mountain property, and that “its interest will not be considered by the Receiver” unless Wells Fargo “believes there are circumstances that justify its failure to file a Proof of Claim” and submits a proof of claim “and an explanation for the delay and any other materials or information which it deems appropriate.”¹⁷ The Receiver reminded Wells Fargo of the passage of the Claim Bar Date of September 2, 2010.

ARGUMENT

Wells Fargo argues, first, that the state property rights of a secured creditor trump a federal equitable receivership in that a secured creditor need not file a proof of claim in the receivership to maintain its priority interest, and any extinguishment of Wells Fargo’s security interests would violate the Fifth Amendment as an unconstitutional taking. Second, Wells Fargo argues that it should be permitted to file late proofs of claim for the Laurel Mountain and Sarasota properties as timely under Federal Rule of Civil Procedure 60(b)(1), and, in any event, Wells Fargo has shown excusable neglect for failing to file them earlier. The Receiver argues that Wells Fargo’s failure to file a proof of claim in the receivership results in the extinguishment of not only its rights to a cash distribution but

¹⁶ See docket 740-4, pp. 8 & 24 (Composite Exh. D attached to Wells Fargo’s Motion for Determination that Filing Proofs of Claim Not Necessary, filed February 8, 2012).

¹⁷ See docket 713-8, Exh. 8.

to its secured interests as well. The Court agrees with the Receiver and finds that Wells Fargo's security interests in the properties at issue were not preserved in this receivership because of its failure to file a proof of claim, its Rule 60(b) request filed before the March 2012 order was untimely, and the Receiver's failure to send more than one claims packet to Wells Fargo does not constitute excusable neglect under Rule 60.

ANALYSIS

The Court need look only to the conduct of Wells Fargo (formerly Wachovia) after the receivership was created in 2009, not before that time. The *sole* issue this Court will address is whether Wells Fargo was required to timely file a proof of claim to preserve its security interests in the two particular properties in these receivership proceedings.¹⁸ This Court has already established, however, that "each person or entity that asserts a claim against the Receivership" must submit a proof of claim by the Claim Bar date of September 2, 2010, and that "any person or entity that fails to submit" a proof of claim "shall be forever barred and precluded from asserting any claim."¹⁹ This means that a secured creditor must file a proof of claim before the Claim Bar Date.

¹⁸ The Court is well aware that the Receiver generally takes property subject to liens and encumbrances. Wells Fargo, however, seems to argue on the one hand that it should be allowed to seek redress to its collateral in these receivership proceedings, which would be subject to the claims administrative process, and on the other hand, that the proper procedure is to seek an order from this Court requesting the Receiver release the collateral or the injunction be set aside to enforce Wells Fargo's state law remedies against the collateral. See docket 1216, p. 10, citing Clark on Receivers and two cases. It appears from its submissions that Wells Fargo seeks to be excused from failing to file proofs of claim in the receivership proceedings.

¹⁹ See docket 1174 (Order Denying Turnover of Sales Proceeds of Fairview Property to BB&T).

Wells Fargo is not excused as a secured creditor from filing a proof of claim in this federal equitable receivership under the conduct of the proceedings established in this Court. As in the case of BB&T in this Court’s prior order, the burden rests on Wells Fargo “to protect its rights pursuant to the framework clearly set forth in the conduct of this receivership.”²⁰ Wells Fargo disagrees with this Court’s prior order, arguing that a secured creditor’s *in rem* rights to the collateral are distinct from its right to receive a cash distribution from the liquidation of general receivership assets. See SEC v. Spongetech Delivery Sys., 98 F.Supp.3d 530, 533 (E.D.N.Y. 2015);²¹ SEC v. Madison Real Estate Group, LLC, 647 F.Supp.2d 1271, 1276 (D. Utah 2009). While this may generally be true, a secured creditor must follow the dictates for protecting its rights to its collateral in the receivership proceedings by following the format outlined in the claims administration process for making a claim. The administrative process here requires both secured and unsecured creditors to comply with the process by filing a proof of claim.

Wells Fargo contends that the failure to file a proof of claim, at most, may prohibit its receiving payment for a deficiency claim. In making this argument, Wells Fargo further urges this Court to find a violation of the Takings Clause of the Fifth Amendment. The Receiver is correct that the Fifth Amendment is triggered by governmental action,²²

²⁰ See docket 1174, p. 7.

²¹ The Spongetech was not brought to this Court’s attention when it issued the order on BB&T on April 15, 2015, as Spongetech was decided just two weeks earlier on March 31, 2015.

²² See Lingle v. Chevron U.S.A. Inc., 544 U.S. 528, 537, 125 S.Ct. 2074, 2081, 161 L.Ed.2d 876 (2005).

not the actions of a private receiver marshaling private assets to pay private parties. See United States v. Beszborn, 21 F.3d 62, 68 (5th Cir. 1994) (holding that receiver Resolution Trust Corporation acts as “private, non-governmental entity, and is not the Government”). Moreover, the taking must be for a public use. See Scott v. Jackson County, 297 F. App’x 623, 625-26 (9th Cir. 2008). No case has been cited to the Court that would subject the actions of a receiver in a federal equitable receivership to the Takings Clause.

Wells Fargo asks this Court to permit it to file a late proof of claim, because on February 8, 2012, it filed a motion for determination of whether the filing of a proof of claim was necessary or, in the alternative, for leave to file a late claim.²³ By filing the motion before the March 2012 order, Wells Fargo argues, it met the one-year deadline under Rule 60(b)(1). Wells Fargo relies on a prior order of this Court for the proposition that the start date of the one-year deadline began March 2, 2012.²⁴ The relevant start date of the one-year period for Wells Fargo’s claims, however, was not determined by the order denying the turnover of funds to BB&T. The prior order of this Court considering the turnover of funds to BB&T did not discuss any start date other than the date of the March 2012 order, because the parties did not argue an earlier date to the Court.²⁵

²³ See docket 740.

²⁴ See docket 1174 (Order denying BB&T’s Motion for Turnover of Sale Proceeds of Fairview Property Subject to Mortgage Interest).

²⁵ The Court did not consider and reject the position that Rule 60’s one-year period began prior to March 2012 on the Claim Bar Date in September 2010.

Here, the Receiver argues that the start date for purposes of Rule 60's one-year period falls on the Claim Bar Date of September 2, 2010. Consequently, the Receiver contends that Wells Fargo was required to file its Rule 60 motion by September 2, 2011. Wells Fargo, however, did not file its motion until February 2012. Between Wells Fargo's incorrect reliance on the prior BB&T order regarding the start date and the Receiver's choice of September 2, 2010, the Claim Bar Date, the Court finds for purposes of this motion, Rule 60's one-year period began to run on the Claim Bar Date.

With respect to excusable neglect, Wells Fargo argues that the Receiver mailed only one claims packet, despite the three separate loans given by Wells Fargo. It contends that the Receiver should have sent three separate claims packets, one for "each" account, and the Receiver should have mailed a claims packet for the Laurel Mountain property to one of two Roanoke, Virginia, addresses in accordance with the Laurel Preserve loan documents.²⁶ Wells Fargo returned only one completed Proof of Claim Form before the bar date for the purpose of a claim relating to a loan to Scoop Real Estate, L.P., secured by property in Graham, North Carolina (the Rite-Aid property), which is different from the Laurel Mountain property.²⁷ The Court finds that the claims administrative process did not require the Receiver to send separate claims packets for each of the loans, which involved a non-investor creditor. Despite notice and many communications with the Receiver regarding the Laurel Mountain and Sarasota properties

²⁶ See docket 740-4, pp. 8 & 24 (Composite Exh. D attached to Wells Fargo's Motion for Determination that Filing Proofs of Claim Not Necessary, filed February 8, 2012).

²⁷ See docket 713, para. 25, Exh. 11.

before the Claim Bar Date, Wells Fargo's failure to file timely proofs of claims by the Claim Bar Date, and even one year thereafter, is not excused by the Receiver's neglect in filing separate claims packets for each loan.

It is therefore **ORDERED AND ADJUDGED** that the Receiver's Motion (1) for Determination that Wells Fargo Bank, N.A.'s Failure to Comply with this Court's Claims Administration Process Extinguished its Purported Interests in Receivership Properties, and (II) for Release of Proceeds of Sale of Sarasota Property (Dkt. 1209) is **GRANTED** to the extent that this Court finds that Wells Fargo failed to comply with the claim administrative process and its failure did not constitute excusable neglect for purposes of Rule 60.

It is further **ORDERED AND ADJUDGED** that this order shall not become final until the time for filing a notice of appeal has expired and no notice of appeal was filed or, if a notice of appeal is timely filed, until the appellate process has terminated with an affirmance of this order.

DONE AND ORDERED at Tampa, Florida, on February 2, 2016.

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

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