

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

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

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

Defendants,

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

Relief Defendants.

**DECLARATION OF BURTON W. WIAND IN SUPPORT OF RECEIVER'S
VERIFIED (1) EMERGENCY MOTION TO ENJOIN/STAY TEXAS RAILROAD
COMMISSION ADMINISTRATIVE PROCEEDING FILED AGAINST
RECEIVERSHIP ENTITY QUEST ENERGY MANAGEMENT GROUP, INC.; AND
(2) MOTION FOR ORDER TO SHOW CAUSE WHY SANCTIONS SHOULD NOT
BE IMPOSED AGAINST HATCHETT LEASEHOLDERS AND THEIR
REPRESENTATIVES FOR FAILURE TO COMPLY WITH THE
COURT'S ORDER APPOINTING RECEIVER**

Burton W. Wiand declares as follows:

1. I am an attorney with Wiand Guerra King P.A. in Tampa, Florida.
2. I make this declaration in support of the Receiver's Verified (1) Emergency Motion to Enjoin/Stay Texas Railroad Commission Administrative Proceeding Filed Against Receivership Entity Quest Energy Management Group, Inc.; and (2) Motion for Order to Show Cause Why Sanctions Should Not Be Imposed Against Hatchett Leaseholders and Their Representatives for Failure to Comply With the Court's Order Appointing Receiver.
3. I make this declaration based on information personally known to me or gathered and investigated by others at my request and under my direction.
4. Following my appointment as Receiver over Quest Energy Management Group, Inc. ("**Quest**"), I traveled to Quest's offices in Abilene, Texas on or about May 30, 2013. At one point during my visit to Quest's office, Bill Hatchett appeared at the office and was provided with a copy of the Order Appointing Receiver over Quest (Doc. 1024). During our conversation, Mr. Hatchett indicated that he intended to take various actions that would interfere with and/or adversely affect Quest's assets and/or interests. I informed him that he was prohibited from disturbing Quest's assets or prosecuting any action relating to Quest or the receivership absent court approval.
5. Attached as **Exhibit 1** is a true and correct copy of correspondence sent on June 28, 2013, to Sarah Hatchett, Jim Roy Hatchett, Norma Carney, Bill G. Hatchett, S. Jeanne Gregory, and Peter Gryska.
6. Attached as **Exhibit 2** is a true and correct copy of correspondence sent on July 12, 2013, to Bill Hatchett in care of John H. Carney.

7. Attached as **Exhibit 3** is a true and correct copy of correspondence dated August 20, 2013 received from TransOil. Quest did not receive its share of the suspended oil payments referenced in Exhibit 5 until October 30, 2015.

8. Attached as **Exhibit 4** is a true and correct copy of correspondence sent on August 27, 2013 to Bill Hatchett.

9. Attached as **Exhibit 5** is a true and correct copy of correspondence from John Carney to Quest on October 14, 2016.

10. On October 14, 2016, Quest had assets and equipment valued between \$75,000 and \$200,000 located on the lands governed by the Hatchett Lease.

11. Attached as **Exhibit 6** is a true and correct copy of correspondence sent on October 24, 2016 to John Carney.

12. Attached as **Exhibit 7** is a true and correct copy of correspondence from the Texas Railroad Commission dated November 29, 2016.

13. Attached as **Exhibit 8** is a true and correct copy of correspondence sent on December 28, 2016 to the Texas Railroad Commission.

14. Attached as **Exhibit 9** is a true and correct copy of correspondence hand-delivered to the Texas Railroad Commission on January 12, 2017.

15. Attached as **Exhibit 10** is a true and correct copy of correspondence received on January 19, 2017 from the Texas Railroad Commission.

I DECLARE under the penalty of perjury that the foregoing is true and correct and is executed this 3rd day of March, 2017.



Burton W. Wiand, as Receiver
Email: bwiaand@wiandlaw.com
WIAND GUERRA KING P.A.
5505 W. Gray Street
Tampa, FL 33609
Tel.: (813) 347-5100
Fax: (813) 347-5155