

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 JEFFREY C. RIZZO

Jeffrey C. Rizzo declares as follows:

1. My name is Jeffrey C. Rizzo. I am over the age of 18 and I have personal knowledge of the matters stated herein, and I am competent to testify thereto.
2. I am a paralegal employed by Wiand Guerra King P.A. I assist the firm's attorneys in connection with the representation of Burton W. Wiand in his capacity as Receiver over Quest Energy Management Group, Inc. in the above matter.
3. On July 10, 2013, John Carney forwarded correspondence to Scott Masel, Senior Trial Counsel of the Securities and Exchange Commission. Said correspondence lists 5005

Greenville Avenue, Suite 200, Dallas, Texas 75206 as the address for John H. Carney & Associates Attorneys at Law. A true and correct copy of said correspondence is attached as **Exhibit 1**.

4. The State Bar of Texas profile for John Carney lists 5005 Greenville Avenue, Suite 200, Dallas, Texas 75206 as his address. A true and correct copy of the State Bar of Texas profile page for John Carney is attached as **Exhibit 2**.

5. Wiand Guerra King P.A. continued to utilize the address provided by Mr. Carney, 5005 Greenville Avenue, Suite 200, Dallas, Texas 75206 address, while communicating with Mr. Carney throughout the course of this proceeding with the understanding that Mr. Carney was a licensed attorney with authority to represent the interests of the lessors of the Hatchett Lease, for example:

- On October 20, 2014 John Carney communicated with Trans-Oil via email regarding the Hatchett Ranch oil revenue suspense and indicated that “Hatchett/Carney/Gryska/Hatfield/Tucker families have reached an agreement with the Receiver for the Quest operations which we will provide in writing within ten days or so, signed by all parties.” The email again listed 5005 Greenville Avenue, Suite 200, Dallas, Texas 75206 as the address for John H. Carney & Associates Attorneys at Law. A true and correct copy of said correspondence is attached as **Exhibit 3**.
- On February 9, 2015 John Carney communicated with George Guerra, Esq. of Wiand Guerra King P.A. regarding various issues related to the Hatchett Lease. The email again listed 5005 Greenville Avenue, Suite 200, Dallas, Texas 75206 as his office address for John H. Carney & Associates Attorneys at Law. A true and correct copy of said correspondence is attached as **Exhibit 4**.

- On or about August 27, 2015 Wiand Guerra King P.A. received correspondence from Mr. Carney which indicated his affiliation with CNG Energy Partners, LLC which has an address of 5005 Greenville Avenue, Suite 200, Dallas, Texas 75206. A true and correct copy of said correspondence is attached as **Exhibit 5**.
- On or about October 23, 2015 Wiand Guerra King P.A. received a W-9 for Hatchett Land & Development Co. LLC executed by John Carney. The W-9 lists the address for Hatchett Land & Development Co. LLC as 5005 Greenville Avenue, Suite 200, Dallas, Texas 75206. A true and correct copy of said correspondence and W-9 is attached as **Exhibit 6**.

6. Attached hereto as **Exhibit 7** is a copy of correspondence dated October 6, 2016 drafted by me at the Receiver's request and addressed to John Carney.

7. I mailed the original letter and check in the amount of \$1,500.00 on October 6, 2016 to John Carney's last known address of 5005 Greenville Avenue, Suite 200, Dallas, Texas 75206. As of the date of this Declaration the original letter and check have not been returned to Wiand Guerra King P.A., and the check has not cleared the Receiver's bank account.

8. On or about October 14, 2016, Wiand Guerra King P.A. received correspondence from John Carney which listed him as Manager of Hatchett Land & Development Co. LLC. The document lists the address for Hatchett Land & Development Co. LLC as 5005 Greenville Avenue, Suite 200, Dallas, Texas 75206. A true and correct copy of said correspondence is attached as **Exhibit 8**.

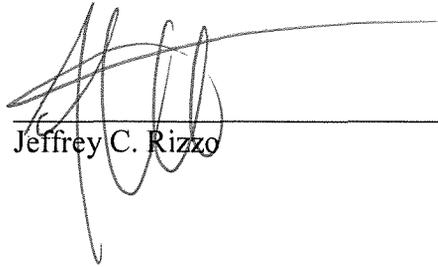
9. On April 8, 2016, H-15 testing was performed on various wells under the Hatchett Lease.

10. No Proof of Claim Form was submitted to the Receiver on behalf of any of the Hatchett Ranch lessors.

11. A true and correct copy of the Hatchett Lease is attached as **Exhibit 9**.

12. Quest currently has 90 barrels of oil being held in a tank on the Hatchett Ranch.

I DECLARE under the penalty of perjury that the foregoing is true and correct and is executed this 5th day of May, 2017.



Jeffrey C. Rizzo