

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

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

v.

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

Defendants.

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

**LA BELLASARA CONDOMINIUM ASSOCIATION'S
MOTION FOR TIME TO FILE POTENTIAL OBJECTION**

La Bellasara Condominium Association, Inc. ("Association") moves the Court for an Order granting it a period of time of at least seven (7) days to file a potential objection to the RECEIVER'S UNOPPOSED MOTION FOR: (I) APPROVAL OF SETTLEMENT WITH WELLS FARGO, N.A; (II) ENTRY OF AN ORDER AUTHORIZING DISBURSEMENT OF SALE PROCEEDS TO WELLS FARGO, N.A.; (III) AND RELIEF FROM INJUNCTION, PERMITTING WELLS FARGO TO FORECLOSE ON THE LAUREL MOUNTAIN PROPERTY (the "Receiver's Motion) and states:

1. On June 12, 2017, the Receiver's Motion (D.E. 1291) was filed. Notably, the motion indicates it was "unopposed." Prior to filing its Motion, however, the Receiver did not confer with the Association as to whether it had any objections as to the relief sought in the Receiver's Motion.

2. The Association has a claim for a significant amount of unpaid condominium assessments and related expenses concerning the "La Bellasara Property" and believes its claim may in fact be superior to the secondary Wells Fargo interest in the property identified in the Receiver's Motion.

3. It was the Association's understanding that monies from the sale of the "La Bellasara Property" would not be disbursed without consideration of the claims to such monies posed by the Association. Therefore, the Association seeks a period of time to respond before the Court might grant the "unopposed" motion filed by the Receiver.

4. Primary counsel for the Association is currently in South America for a wedding and will not return to the office until June 15th.

5. Accordingly, the Association requests that it be granted at least a seven (7) day period to file an objection to the Receiver's Motion or, alternatively, it will file a notice that it poses no objection to the motion.

WHEREFORE, the Association requests the entry of an Order granting it a minimum of seven (7) days to file a potential objection to the Receiver's Motion.

LOCAL RULE 3.01(g) CERTIFICATION

Given the urgency of filing a response to the "unopposed" motion of the Receiver before the Court might enter an Order thereupon, the undersigned has not had the opportunity to confer with other counsel as of the time of filing this motion. The undersigned will undertake to confer and update this certification as expeditiously as possible.

Respectfully submitted,

s/Josh R. Dell _____
Florida Bar No: 0092341
jdell@matthewseastmoore.com
MATTHEWS EASTMOORE
1626 Ringling Blvd, Suite 300
Sarasota, FL 34236
(941) 366-8888
(941) 954-7777 Facsimile
*Attorneys for La Bellasara Condominium
Association, Inc.*

CERTIFICATE OF SERVICE

I CERTIFY that on this 12th day of June, 2017, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to counsel of record.

s/Josh R. Dell _____