

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.

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**DECLARATION OF BURTON W. WIAND
IN SUPPORT OF THE MOTION TO ENFORCE CONSTRUCTIVE TRUST
THROUGH TURNOVER OF REAL PROPERTY, OR IN THE ALTERNATIVE,
THROUGH FORECLOSURE OF THE RECEIVER'S EQUITABLE LIEN**

Burton W. Wiand declares as follows:

1. I am an attorney with Wiand Guerra King P.A. in Tampa, Florida.
2. Attached hereto as **Exhibit A** is a true and correct copy of the Bankruptcy Court's order granting the Receiver's Motion for Partial Summary Judgement (Bankr. Doc. 29).

3. Attached hereto as **Exhibit B** is a true and correct copy of the Final Judgment entered by the Bankruptcy Court (Bankr. Doc. 36).

4. Attached hereto as **Exhibit C** is a true and correct copy of the Bankruptcy Court's Order Granting Motion to Confirm Termination or Absence of Stay, or Alternatively, Relief from Automatic Stay (Bankr. Doc 39)

5. Attached hereto as **Exhibit D** is a true and correct copy of the *Aquacell* receiver's Motion for Turnover (AQ Doc 115).

6. Attached hereto as **Exhibit E** is a true and correct copy of the order granting the *Aquacell* receiver's Motion for Turnover (AQ Doc 182).

7. Attached hereto as **Exhibit F** is a true and correct copy of the final Turnover Order prepared by the *Aquacell* receiver (AQ Doc. 184).

8. Attached hereto as **Exhibit G** is a true and correct copy of the *Aquacell* receiver's Motion for Confirmation of Sale of Realty (AQ Doc 258).

9. Attached hereto as **Exhibit H** is a true and correct copy of the *Aquacell* receiver's Final Judgment Confirming Receiver's Sale of Realty (AQ Doc 263).

10. Attached hereto as **Exhibit I** is a true and correct copy of the Order Approval Sale of Real Property in the (Hudgins Doc 264).

I DECLARE under the penalty of perjury that the foregoing is true and correct and is executed this 15th day of September, 2017.

/s/ Burton W. Wiand
Burton W. Wiand, Receiver