

**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, LLC,

Relief Defendants.

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**UNOPPOSED  
RECEIVER'S MOTION FOR LEAVE TO REPLY TO LOUIS PAOLINO'S  
RESPONSE TO THE RECEIVER'S MOTION TO ENJOIN AND FOR POSSESSION**

Burton W. Wiand, as Receiver ("the Receiver"), under Local Rule 3.01(c) and by his undersigned counsel, moves the Court for an order granting the Receiver leave to file a reply to Louis Paolino's Response to Receiver's Motion to Enjoin State Court Proceedings and for Possession of Jewelry (Doc. 181) in further support of the Receiver's motion (Doc. 177).

### **MEMORANDUM IN SUPPORT**

The issues raised by the Receiver's motion (Doc. 177) are significant to all defrauded investors, for whose benefit the Receiver was appointed. *See* Order Reappointing Receiver, Doc. 140 at ¶ 2. The Receiver seeks not only jewelry with significant value—he also seeks to prevent depletion of other assets acquired with funds transferred from Receivership Entities to Neil V. Moody and Christopher D. Moody. The Receiver believes a reply would assist the Court in the resolution of the issues currently before the Court by clarifying the applicable law and facts.

### **LOCAL RULE 3.01(g) CERTIFICATION OF COMPLIANCE**

The undersigned counsel for the receiver has conferred with counsel for Mr. Paolino and is authorized to represent that Mr. Paolino has no objection to the Receiver's filing a reply.

### **CERTIFICATE OF SERVICE**

I hereby certify that on August 27, 2009, I electronically filed this document with the Clerk of the Court by using the CM/ECF system. This will send a Notice of Filing to all counsel who have appeared in this action, including Paolino's counsel, Morgan R. Bentley. I further certify that I also served this document on the non-CM/ECF recipients listed below in the manner indicated:

Arthur G. Nadel  
**(by mail)**  
Register No. 50690-018  
Metropolitan Correctional Center, New York  
150 Park Row  
New York, NY 10007

The Honorable Charles E. Williams  
**(by email to his assistant: Lisa Fudge-Schustik [LFudge@jud12.flcourts.org])**  
2000 Main Street Room 108  
Sarasota, Florida 34237

Robert Elliot (State Court Receiver)  
**(by fax – 941-798-3163)**

s/ Carl R. Nelson  
\_\_\_\_\_  
Carl R. Nelson, FBN 0280186  
[cnelson@fowlerwhite.com](mailto:cnelson@fowlerwhite.com)  
Gianluca Morello, FBN 034997  
[gianluca.morello@fowlerwhite.com](mailto:gianluca.morello@fowlerwhite.com)  
Maya M. Lockwood, FBN 0175481  
[mlockwood@fowlerwhite.com](mailto:mlockwood@fowlerwhite.com)  
Ashley Bruce Trehan, FBN 0043411  
[ashley.trehan@fowlerwhite.com](mailto:ashley.trehan@fowlerwhite.com)  
FOWLER WHITE BOGGS P.A.  
P.O. Box 1438  
Tampa, FL 33601  
T: (813) 228-7411  
F: (813) 229-8313  
Attorneys for the Receiver, Burton W. Wiand

42317162v1