

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.

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**DECLARATION OF CARL R. NELSON IN SUPPORT OF SUPPLEMENT TO  
RECEIVER'S MOTION FOR ORDER TO SHOW CAUSE AS TO WHY  
CONSERVATION EASEMENT SHOULD NOT BE EXTINGUISHED (DOC. 236)**

Carl R. Nelson declares as follows:

1. I am an attorney with Fowler White Boggs P.A. in Tampa, Florida, and co-counsel in this matter for the Court-appointed Receiver, Burton W. Wiand (the "Receiver"). I make this declaration in support of the Supplement to Receiver's Motion for Order to Show Cause as to why Conservation Easement Should Not Be Extinguished (Doc. 236), which is being filed along with this declaration.

2. Attached as **Exhibit 1** is a true and correct copy of an honored check dated December 29, 2004, in the amount of \$5,000 from Marguerite “Peg” Nadel, wife of Defendant Arthur Nadel, to the Carolina Mountain Land Conservancy (the “Conservancy”). The account number on the face of the check indicates an account jointly held by Arthur and Peg Nadel.

3. Attached as **Exhibit 2** is a true and correct copy of an honored check dated March 16, 2005, in the amount of \$1,000 from the Guy-Nadel Foundation, Inc. (the “Foundation”) to the Conservancy.

4. Attached as **Exhibit 3** is a true and correct copy of an honored check dated November 21, 2005, in the amount of \$7,214 from the Foundation to the Conservancy.

5. Attached as **Exhibit 4** is a true and correct copy of an honored check dated April 19, 2006, in the amount of \$2,500 from the Foundation to the Conservancy.

6. Attached as **Exhibit 5** is a true and correct copy an honored check dated April 4, 2007, in the amount of \$7,215 from the Foundation to the Conservancy.

7. Attached as **Exhibit 6** is a true and correct copy of an honored check dated July 31, 2007, in the amount of \$1,500 from the Foundation to the Conservancy.

8. Attached as **Exhibit 7** is a true and correct copy of an honored check dated June 18, 2008, in the amount of \$6,000 from the Foundation to the Conservancy.

I declare under the penalty of perjury that the foregoing is true and correct and is executed this 7th day of December, 2009.

s/ Carl R. Nelson

Carl R. Nelson, FBN 0280186

[cnelson@fowlerwhite.com](mailto:cnelson@fowlerwhite.com)

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### **CERTIFICATE OF SERVICE**

I hereby certify that on December 7, 2009, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants:

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

I further certify that I sent the foregoing document and the notice of electronic filing by first-class mail, email, and fax to counsel for the Carolina Mountain Land Conservancy and by first-class mail and email to the Assistant Attorney General for the State of North Carolina at the following addresses:

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s/ Carl R. Nelson  
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