



LARGE AND MID-SIZE  
BUSINESS DIVISION

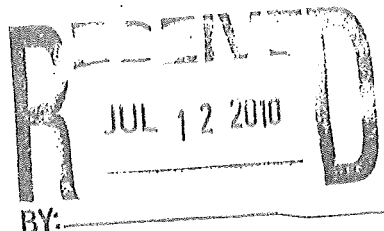
DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

3848 West Columbus Dr.  
Stop: LMSB:HMT:1712:DP  
Tampa, FL 33607

**Date:** July 8, 2010

Burton W. Wiand, Receiver  
Wiand Guerra King P.L.  
3000 Bayport Drive, Suite 600  
Tampa, FL 33607

Re: Scoop Capital, LLC.



**Taxpayer Identification Number:**  
59-3729017

**Kind of Tax:**  
U.S. Return of Partnership Income

**Tax Year Ended:**  
December 31, 2005

**Person to Contact/ID Number:**  
Doreen Penberthy/0772850

**Contact Telephone Number:**  
(813) 315-2427

**FAX Number:**  
(813) 315-2492

**Refer Reply to:**  
LMSB:HMT:1712:DP

Dear Mr. Wiand:

In response to your letter dated May 17, 2010, we are enclosing copies of the 2005 Form 1065 Protective Filing Amended Returns for Scoop Capital, LLC filed and signed by Marguerite Nadel on April 14, 2009.

These amended returns have been rejected and disallowed by the Service since they were filed by Marguerite Nadel, which you have indicated were without your knowledge or consent, in contravention of the Order Appointing Receiver signed on January 21, 2009 by Richard A. Lazzara, United States District Judge.

We have enclosed a copy of a letter dated July 8, 2010 to Marguerite Nadel advising her of the disallowed filings of the protective amended returns. Additionally, we have enclosed a copy of a letter dated July 8, 2010 to Michael D. Zucker advising him of the disallowed filing of a Form 2848, Power of Attorney, naming him as representative. Finally, we have enclosed copies of the letters dated March 17, 2010 and May 19, 2010 sent by Michael D. Zucker relating to this same matter.

Should you have any questions, please do not hesitate to contact either Agent Penberthy or myself.

Thank you,

Joseph Johnson  
Team Group Manager

cc: William D. Price, CPA

EXHIBIT B

①

SCOOP CAPITAL, LLC  
C/O Marguerite Nadel  
3966 Country View Drive  
Sarasota FL 34233

Telephone: (941) 927-3830

Federal Identification No.  
59-3729017

PROTECTIVE FILING OF  
AMENDED TAX RETURN, FORM 1065 - TAX YEAR 2005  
DO NOT FILE

April 14, 2009

Department of the Treasury  
Internal Revenue Service  
Ogden UT 84201-0013

Re: Amended Tax Return  
Form 1065 - U.S. Return of Partnership Income  
Tax Year - 2005

Dear Internal Revenue Service:

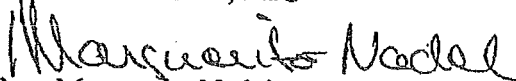
Please accept the filing of this Amended Income Tax Return (in duplicate) for the year 2005.

Scoop Capital, LLC is being investigated by the Securities and Exchange Commission, and one of its general partners, Arthur Nadel, has been charged with securities fraud. The profits generated by fraudulent securities trading is being contested, and it is impossible to ascertain what the actual net short-term capital gains will actually be. Likewise, incentive fees and management fees income generated by the profit from the above securities transactions are also being challenged, and there is no way to tell what the final tax return will look like.

Accordingly, this Amended Form 1065 is being filed under a Protective Filing and ask that this amended tax return NOT BE PROCESSED until the SEC investigation is completed and the Internal Revenue Service has issued it ruling.

Sincerely,

SCOOP CAPITAL, LLC

  
By Marguerite Nadel  
General Partner

710 1242  
②

STATUTE CLEARED JUN 29 '09  
JUDICIAL 0436524502

PROTECTIVE FILING  
DO NOT PROCESS

0512

Form 1065

U.S. Return of Partnership Income

OMB No. 1545-0099

Department of the Treasury  
Internal Revenue Service

For the year 2005, or tax year beg. 2005, and end. 2005

2005

See separate instructions.

<b>A</b> Principal business activity <b>FINANCIAL SVCE</b> <b>B</b> Principal product or service <b>INVEST MGMT</b> <b>C</b> Business code number <b>523900</b>	Use the IRS label. Otherwise, print or type.	Name, Number, street, room/suite no., City/Town, state, and ZIP code <b>SCOOP CAPITAL, LLC</b>  <b>1618 MAIN STREET</b> <b>SARASOTA FL 34236-5811</b>	<b>D</b> Employer identification no. <b>59-3729017</b>
		<b>E</b> Date business started <b>01/01/2003</b>	<b>F</b> Total assets (see the instr.) <b>\$ 2,773,271.</b>
		<b>G</b> Check applicable boxes: (1) <input type="checkbox"/> Initial return (2) <input type="checkbox"/> Final return (3) <input type="checkbox"/> Name change (4) <input checked="" type="checkbox"/> Address change (5) <input checked="" type="checkbox"/> Amended return <b>H</b> Check accounting method: (1) <input checked="" type="checkbox"/> Cash (2) <input type="checkbox"/> Accrual (3) <input type="checkbox"/> Other (specify) <input type="checkbox"/> <b>I</b> Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year <b>2</b>	

Caution: Include only trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

1a	Gross receipts or sales	1a		1c	
b	Less returns and allowances	1b			
2	Cost of goods sold (Schedule A, line 6)			2	
3	Gross profit. Subtract line 2 from line 1c			3	
4	Ordinary income (loss) from other partnerships, estates, and trusts (attach statement)			4	
5	Net farm profit (loss) (attach Schedule F (Form 1040))			5	
6	Net gain (loss) from Form 4797, Part II, line 17 (attach Form 4797)			6	
7	Other income (loss) (attach statement)			7	
8	Total income (loss). Combine lines 3 through 7			8	
9	Salaries and wages (other than to partners) (less employment credits)			9	
10	Guaranteed payments to partners			10	
11	Repairs and maintenance			11	
12	Bad debts			12	
13	Rent			13	
14	Taxes and licenses			14	
15	Interest			15	
16a	Depreciation (if required, attach Form 4562)	16a		16c	
b	Less depreciation reported on Schedule A and elsewhere on return	16b			
17	Depletion (Do not deduct oil and gas depletion.)			17	
18	Retirement plans, etc.			18	
19	Employee benefit programs			19	
20	Other deductions (attach statement)			20	3,312.
21	Total deductions. Add the amounts shown in the far right column for lines 9 through 20			21	3,312.
22	Ordinary business income (loss). Subtract line 21 from line 8			22	(3,312.)

SELECTED OSC 80 Aug 13, 2009

RECEIVED OSC 127

JUL 11 2009

OP's T Dept 138  
IRS OGDEN, UTAH

APR 27 2009

GENERAL DEPT  
CONSULTANT DATE APR 15 2009

Deductions (see the instructions for limitations)

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than general partner or limited liability company member) is based on all information of which preparer has any knowledge.

Sign Here Michael D Zucker Signature of general partner or limited liability co. member manager Date 04/14/2009

May the IRS discuss this return with the preparer shown below (see instructions)?  Yes  No

Paid Preparer's Use Only

Preparer's signature MS Zucker Date 04/10/2009 Check if self-employed  Preparer's SSN or PTIN P00063529

Firm's name (or yours if self-employed), address, and ZIP code MICHAEL D ZUCKER ACCTG & TAX S  
5037 WILLOW LEAF WAY  
SARASOTA FL 34241-6234 EIN  Phone no. 941-379-0003

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions. Form 1065 (2005)

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**Schedule A Cost of Goods Sold** (See the instructions)

1	Inventory at beginning of year	1	
2	Purchases less cost of items withdrawn for personal use	2	
3	Cost of labor	3	
4	Additional section 263A costs (attach statement)	4	
5	Other costs (attach statement)	5	
6	Total. Add lines 1 through 5	6	
7	Inventory at end of year	7	
8	Cost of goods sold. Subtract line 7 from line 6. Enter here and on page 1, line 2	8	

9a Check all methods used for valuing closing inventory:

- (i)  Cost as described in Regulations section 1.471-3
- (ii)  Lower of cost or market as described in Regulations section 1.471-4
- (iii)  Other (specify method used and attach explanation) ▶

- b Check this box if there was a writedown of "subnormal" goods as described in Regulations section 1.417-2(c)  Yes  No
- c Check this box if the LIFO inventory method was adopted this tax year for any goods (if checked, attach Form 970).  Yes  No
- d Do the rules of section 263A (for property produced or acquired for resale) apply to the partnership?  Yes  No
- e Was there any change in determining quantities, cost, or valuations between opening and closing inventory?  Yes  No  
If "Yes," attach explanation.

**Schedule B Other Information**

Yes No

1	What type of entity is filing this return? Check the applicable box:		
a	<input type="checkbox"/> Domestic general partnership	b	<input type="checkbox"/> Domestic limited partnership
c	<input checked="" type="checkbox"/> Domestic limited liability company	d	<input type="checkbox"/> Domestic limited liability partnership
e	<input type="checkbox"/> Foreign partnership	f	<input type="checkbox"/> Other ▶
2	Are any partners in this partnership also partnerships?		X
3	During the partnership's tax year, did the partnership own any interest in another partnership or in any foreign entity that was disregarded as an entity separate from its owner under Regulations sections 301.7701-2 and 301.7701-3? If yes, see instructions for required attachment		X
4	Did the partnership file Form 8893, Election of Partnership Level Tax Treatment, or an election statement under section 6231(a)(1)(B)(ii) for partnership-level tax treatment, that is in effect for this tax year? See Form 8893 for more details		
5	Does this partnership meet all three of the following requirements? a The partnership's total receipts for the tax year were less than \$250,000; b The partnership's total assets at the end of the tax year were less than \$600,000; and c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return. If "Yes," the partnership is not required to complete Schedules L, M-1, and M-2; Item F on page 1 of Form 1065; or Item N on Schedule K-1		X
6	Does this partnership have any foreign partners? If "Yes," the partnership may have to file Forms 8804, 8805 and 8813. See the instructions.		X
7	Is this partnership a publicly traded partnership as defined in section 489(k)(2)?		X
8	Has this partnership filed, or is it required to file, a return under section 6111 to provide information on any reportable transaction?		X
9	At any time during calendar year 2005, did the partnership have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? See the instructions for exceptions and filing requirements for Form TD F 90-22.1. If "Yes," enter the name of the foreign country. ▶		X
10	During the tax year, did the partnership receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If "Yes," the partnership may have to file Form 3520. See the instructions		X
11	Was there a distribution of property or a transfer (for example, by sale or death) of a partnership interest during the tax year? If "Yes," you may elect to adjust the basis of the partnership's assets under section 754 by attaching the statement described under Elections Made By the Partnership in the instructions		X
12	Enter the number of Forms 8865, Return of U.S. Persons With Respect to Certain Foreign Partnerships, attached to this return	0	

**Designation of Tax Matters Partner** (see the instructions)

Enter below the general partner designated as the tax matters partner (TMP) for the tax year of this return:

Name of designated TMP ▶ MARGUERITE NADEL Identifying number of TMP ▶ 265461720  
 Address of designated TMP ▶ 3966 COUNTRY VIEW DRIVE  
SARASOTA FL 34233

Schedule K Partners' Distributive Share Items		Total amount
Income (Loss)	1 Ordinary business income (loss) (page 1, line 22)	1 (3,312.)
	2 Net rental real estate income (loss) (attach Form 8825)	2
	3a Other gross rental income (loss)	3a
	b Expenses from other rental activities (attach statement)	3b
	c Other net rental income (loss). Subtract line 3b from line 3a	3c
	4 Guaranteed payments	4
	5 Interest income	5
	6 Dividends: a Ordinary dividends	6a
	b Qualified dividends	6b
	7 Royalties	7
	8 Net short-term capital gain (loss) (attach Schedule D (Form 1065))	8
	9a Net long-term capital gain (loss) (attach Schedule D (Form 1065))	9a (17,928.)
	b Collectibles (28%) gain (loss)	9b
	c Unrecaptured section 1250 gain (attach statement)	9c
10 Net section 1231 gain (loss) (attach Form 4797)	10	
11 Other income (loss) (see instructions) Type ▶	11	
Deductions	12 Section 179 deduction (attach Form 4562)	12
	13a Contributions	13a
	b Investment interest expense	13b
	c Section 69(e)(2) expenditures: (1) Type ▶ (2) Amount ▶	13c(2)
d Other deductions (see instructions) Type ▶	13d	
Self-Employment	14a Net earnings (loss) from self-employment	14a
	b Gross farming or fishing income	14b
	c Gross nonfarm income	14c
Credits & Credit Recapture	15a Low-income housing credit (section 42(j)(5))	15a
	b Low-income housing credit (other)	15b
	c Qualified rehabilitation expenditures (rental real estate) (attach Form 3468)	15c
	d Other rental real estate credits (see instructions) Type ▶	15d
	e Other rental credits (see instructions) Type ▶	15e
	f Other credits and credit recapture (see instructions) Type ▶	15f
Foreign Transactions	16a Name of country or U.S. possession ▶	
	b Gross income from all sources	16b
	c Gross income sourced at partner level	16c
	d Passive ▶ <small>Listed categories (attach statement)</small> ▶ <small>f General limitation ▶</small>	16f
	Declarations allocated and apportioned at partner level	
	g Interest expense ▶ <small>h Other ▶</small>	16h
	Declarations allocated and apportioned at partnership level to foreign source income	
	i Passive ▶ <small>Listed categories (attach statement)</small> ▶ <small>k General limitation ▶</small>	16k
	l Total foreign taxes (check one): ▶ Paid <input type="checkbox"/> Accrued <input type="checkbox"/>	16l
m Reduction in taxes available for credit (attach statement)	16m	
n Other foreign tax information (attach statement)		
Alternative Minimum Tax (AMT) Items	17a Post-1986 depreciation adjustment	17a
	b Adjusted gain or loss	17b
	c Depletion (other than oil and gas)	17c
	d Oil, gas, and geothermal properties-gross income	17d
	e Oil, gas, and geothermal properties-deductions	17e
	f Other AMT items (attach statement)	17f
Other Information	18a Tax-exempt interest income	18a
	b Other tax-exempt income	18b
	c Nondeductible expenses	18c
	19a Distributions of cash and marketable securities	19a
	b Distributions of other property	19b
	20a Investment income	20a
b Investment expenses	20b	
c Other items and amounts (attach statement)		

**Analysis of Net Income (Loss)**

1 Net income (loss). Combine Schedule K, lines 1 through 11. From the result, subtract the sum of Schedule K, lines 12 through 13d, and 16i						1	(21,240.)
2 Analysis by partner type:	(i) Corporate	(ii) Individual (active)	(iii) Individual (passive)	(iv) Partnership	(v) Exempt organization	(vi) Nominee/Other	
a General partners		(21,240.)					
b Limited partners							

Note: Schedules L, M-1, and M-2 are not required if Question 5 of Schedule B is answered "Yes."

Schedule L	Balance Sheets per Books	Beginning of tax year		End of tax year	
		(a)	(b)	(c)	(d)
<b>Assets</b>					
1	Cash		524,423.		2,773,271.
2a	Trade notes and accounts receivable	12,000.			
b	Less allowance for bad debts		12,000.		
3	Inventories				
4	U.S. government obligations				
5	Tax-exempt securities				
6	Other current assets (attach statement)				
7	Mortgage and real estate loans				
8	Other investments (attach statement)	SEE STMT	17,968.		
9a	Buildings and other depreciable assets				
b	Less accumulated depreciation				
10a	Depletable assets				
b	Less accumulated depletion				
11	Land (net of any amortization)				
12a	Intangible assets (amortizable only)				
b	Less accumulated amortization				
13	Other assets (attach statement)				
14	<b>Total assets</b>		554,391.		2,773,271.
<b>Liabilities and Capital</b>					
15	Accounts payable				
16	Mortgages, notes, bonds payable in less than 1 year				
17	Other current liabilities (attach statement)				
18	All nonrecourse loans				
19	Mortgages, notes, bonds payable in 1 year or more				
20	Other liabilities (attach statement)				
21	Partners' capital accounts		554,391.		2,773,271.
22	<b>Total liabilities and capital</b>		554,391.		2,773,271.

Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return		
1	Net income (loss) per books	(21,240.)
2	Income included on Schedule K, lines 1, 2, 3c, 5, 6a, 7, 8, 9a, 10, and 11, not recorded on books this year (itemize):	
3	Guaranteed payments (other than health ins.)	
4	Expenses recorded on books this year not included on Schedule K, lines 1 through 13d, and 16i (itemize):	
a	Depreciation	\$
b	Travel/entertainment	\$
5	Add lines 1 through 4	(21,240.)
6	Income recorded on books this year not included on Schedule K, lines 1 through 11 (itemize):	
a	Tax-exempt interest	\$
7	Deductions included on Schedule K, lines 1 through 13d, and 16i, not charged against book income this year (itemize):	
a	Depreciation	\$
8	Add lines 6 and 7	
9	Income (loss) (Analysis of Net Income (Loss), line 1). Subtract line 8 from line 5	(21,240.)

Schedule M-2 Analysis of Partners' Capital Accounts		
1	Balance at beginning of year	554,391.
2	Capital contributed: a Cash	
b	Property	
3	Net income (loss) per books	(21,240.)
4	Other increases (itemize):	
		9,038,698.
5	Add lines 1 through 4	9,571,849.
6	Distributions: a Cash	6,798,578.
b	Property	
7	Other decreases (itemize):	
8	Add lines 6 and 7	6,798,578.
9	Balance at end of year. Subtract line 8 from line 5	2,773,271.

6

**Schedule D  
(Form 1065)**

**Capital Gains and Losses**

OMB No. 1545-0099

**2005**

Department of the Treasury  
Internal Revenue Service

▶ Attach to Form 1065.

Name of partnership  
**SCOOP CAPITAL, LLC**

Employer identification number  
**59-3729017**

**Part I Short-Term Capital Gains and Losses - Assets Held 1 Year or Less**

(a) Description of property (e.g., 100 shares of "Z" Co.)	(b) Date acquired (month, day, year)	(c) Date sold (month, day, year)	(d) Sales price (see instructions)	(e) Cost or other basis (see instructions)	(f) Gain or (loss) Subtract (e) from (d)
<b>1</b> DETAILS	VA/RI/OUS				
AVAILABLE UPON					
REQUEST					
2 Short-term capital gain from installment sales from Form 6252, lines 26 or 37 .....					2
3 Short-term capital gain (loss) from like-kind exchanges from Form 8824 .....					3
4 Partnership's share of net short-term capital gain (loss), including specially allocated short-term capital gains (losses), from other partnerships, estates, and trusts .....					4
5 Net short-term capital gain or (loss). Combine lines 1 through 4 in column (f). Enter here and on Form 1065, Schedule K, line 8 or 11 .....					5

**Part II Long-Term Capital Gains and Losses - Assets Held More Than 1 Year**

(a) Description of property (e.g., 100 shares of "Z" Co.)	(b) Date acquired (month, day, year)	(c) Date sold (month, day, year)	(d) Sales price (see instructions)	(e) Cost or other basis (see instructions)	(f) Gain or (loss) Subtract (e) from (d)
<b>6</b> JS-003, LLC	01/01/2003	12/31/2005		17928.	-17928.
7 Long-term capital gain from installment sales from Form 6252, lines 26 or 37 .....					7
8 Long-term capital gain (loss) from like-kind exchanges from Form 8824 .....					8
9 Partnership's share of net long-term capital gain (loss), including specially allocated long-term capital gains (losses), from other partnerships, estates, and trusts .....					9
10 Capital gain distributions .....					10
11 Net long-term capital gain or (loss). Combine lines 6 through 10 in column (f). Enter here and on Form 1065, Schedule K, line 9a or 11 .....					11

-17928.

For Privacy Act and Paperwork Reduction Act Notice, see the Instructions for Form 1065.

Schedule D (Form 1065) 2005





US 1065

Schedule L, Line 8: Other Investments

2005

Description	Beginning of Year	End of Year
JS-003, L.L.C.	17,968. 17,968.	

Detail Sheet

2005

Name: SCOOP CAPITAL, LLC

ID: 59-3729017

Description: SCHEDULE M-2, LINE 4 - OTHER INCREASES

Type	Amount
INCENTIVE FEES AND MANAGEMENT FEES IN DOUBT	2,833,545.
SHORT-TERM CAPITAL GAINS - SALE OF SECURITIES AND SHORT-TERM CAPITAL GAINS ARE BEING CHALLENGED BY THE SEC	6,205,153.

210.010

10

2005

Final K-1

Amended K-1

OMB No. 1545-0099

Schedule K-1  
(Form 1065)

For calendar year 2005, or tax  
year beginning JAN 01, 2005  
ending DEC 31, 2005

Department of the Treasury  
Internal Revenue Service

Partner's Share of Income, Deductions,  
Credits, etc. See separate instructions.

Partner's Share of Current Year Income,  
Deductions, Credits, and Other Items

Information About the Partnership

A Partnership's employer identification number  
59-3729017

B Partnership's name, address, city, state, and ZIP code  
SCOOP CAPITAL, LLC  
1618 MAIN STREET  
SARASOTA FL 34236-5811

C IRS Center where partnership filed return  
OGDEN UT

D  Check if this is a publicly traded partnership (PTP)

E  Tax shelter registration number, if any

F  Check if Form 8271 is attached

Information About the Partner

G Partner's identifying number  
060-26-4425

H Partner's name, address, city, state, and ZIP code  
ARTHUR NADEL  
3966 COUNTRY VIEW DRIVE  
SARASOTA FL 34233

I  General partner or LLC member-manager  Limited partner or other LLC member

J  Domestic partner  Foreign partner

K What type of entity is this partner? INDIVIDUAL

L Partner's share of profit, loss, and capital:

	Beginning	Ending
Profit	50.000 %	50.000 %
Loss	50.000 %	50.000 %
Capital	50.000 %	50.000 %

M Partner's share of liabilities at year end:

Nonrecourse .....\$ \_\_\_\_\_

Qualified nonrecourse financing .....\$ \_\_\_\_\_

Recourse .....\$ \_\_\_\_\_

N Partner's capital account analysis:

Beginning capital account	\$ <u>277,196.</u>
Capital contributed during the year	\$ _____
Current year increase (decrease)	\$ <u>4,508,729.</u>
Withdrawals & distributions	\$ <u>3,399,289.</u>
Ending capital account	\$ <u>1,386,636.</u>

Tax basis  GAAP  Section 704(b) book  
 Other (explain)

1	Ordinary business income (loss) (1,656.)	15	Credits & credit recapture
2	Net rental real estate income (loss)		
3	Other net rental income (loss)	16	Foreign transactions
4	Guaranteed payments		
5	Interest income		
6a	Ordinary dividends		
6b	Qualified dividends		
7	Royalties		
8	Net short-term capital gain (loss)		
9a	Net long-term capital gain (loss) (8,964.)	17	Alternative minimum tax (AMT) items
9b	Collectibles (28%) gain (loss)		
9c	Unrecaptured section 1250 gain		
10	Net section 1231 gain (loss)	18	Tax-exempt inc. & nondeductible exp.
11	Other income (loss)		
		19	Distributions
12	Section 179 deduction		
13	Other deductions	20	Other information
14	Self-employment earnings (loss)		

\*See attached statement for additional information.

For IRS Use Only



Schedule K-1 (Form 1065) Department of the Treasury Internal Revenue Service

For calendar year 2005, or tax year beginning JAN 01, 2005 ending DEC 31, 2005

Final K-1 Amended K-1

OMB No. 1545-0099

Partner's Share of Current Year Income, Deductions, Credits, and Other Items

Partner's Share of Income, Deductions, Credits, etc. See separate instructions.

Information About the Partnership

A Partnership's employer identification number 59-3729017
B Partnership's name, address, city, state, and ZIP code SCOOP CAPITAL, LLC 1618 MAIN STREET SARASOTA FL 34236-5811
C IRS Center where partnership filed return OGDEN UT
D Check if this is a publicly traded partnership (PTP)
E Tax shelter registration number, if any
F Check if Form 8271 is attached

Information About the Partner

G Partner's identifying number 265-46-1720
H Partner's name, address, city, state, and ZIP code MARGUERITE NADEL 3966 COUNTRY VIEW DRIVE SARASOTA FL 34233
I General partner or LLC member-manager Limited partner or other LLC member
J Domestic partner Foreign partner
K What type of entity is this partner? INDIVIDUAL
L Partner's share of profit, loss, and capital: Beginning Ending Profit 50.000 % 50.000 % Loss 50.000 % 50.000 % Capital 50.000 % 50.000 %
M Partner's share of liabilities at year end: Nonrecourse Qualified nonrecourse financing Recourse

N Partner's capital account analysis: Beginning capital account 277,197. Capital contributed during the year Current year increase (decrease) 4,508,729. Withdrawals & distributions 3,399,289. Ending capital account 1,386,637.

X Tax basis GAAP Section 704(b) book Other (explain)

Table with 3 columns: Line number, Description, and Code. Rows include: 1 Ordinary business income (loss) (1,656.) 15 Credits & credit recapture; 2 Net rental real estate income (loss); 3 Other net rental income (loss) 16 Foreign transactions; 4 Guaranteed payments; 5 Interest income; 6a Ordinary dividends; 6b Qualified dividends; 7 Royalties; 8 Net short-term capital gain (loss); 9a Net long-term capital gain (loss) (8,964.) 17 Alternative minimum tax (AMT) items; 9b Collectibles (28%) gain (loss); 9c Unrecaptured section 1250 gain; 10 Net section 1231 gain (loss) 18 Tax-exempt inc. & nondeductible exp.; 11 Other income (loss); 19 Distributions; 12 Section 179 deduction; 13 Other deductions 20 Other Information; 14 Self-employment earnings (loss)

\*See attached statement for additional information.

For IRS Use Only

12

**SCOOP CAPITAL, LLC**  
C/O Marguerite Nadel  
3966 Country View Drive  
Sarasota FL 34233

Telephone: (941) 927-3830

Federal Identification No.  
59-3729017

**PROTECTIVE FILING OF  
AMENDED TAX RETURN, FORM 1065 – TAX YEAR 2005  
DO NOT FILE**

April 14, 2009

Department of the Treasury  
Internal Revenue Service  
Ogden UT 84201-0013

Re: **Amended Tax Return  
Form 1065 – U.S. Return of Partnership Income  
Tax Year – 2005**

Dear Internal Revenue Service:

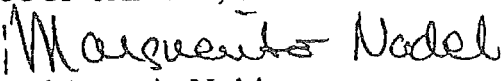
Please accept the filing of this Amended Income Tax Return (in duplicate) for the year 2005.

Scoop Capital, LLC is being investigated by the Securities and Exchange Commission, and one of its general partners, Arthur Nadel, has been charged with securities fraud. The profits generated by fraudulent securities trading is being contested, and it is impossible to ascertain what the actual net short-term capital gains will actually be. Likewise, incentive fees and management fees income generated by the profit from the above securities transactions are also being challenged, and there is no way to tell what the final tax return will look like.

Accordingly, this Amended Form 1065 is being filed under a Protective Filing and ask that this amended tax return **NOT BE PROCESSED** until the SEC investigation is completed and the Internal Revenue Service has issued it ruling.

Sincerely,

SCOOP CAPITAL, LLC

  
By Marguerite Nadel  
General Partner

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PROTECTIVE FILING  
DO NOT PROCESS

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OMB No. 1545-0099

Form 1065

# U.S. Return of Partnership Income

2005

Department of the Treasury  
Internal Revenue Service

For cal. year 2005, or tax year beg. , 2005, and end. , 20

See separate instructions.

<b>A</b> Principal business activity <b>FINANCIAL SVCE</b>	Use the IRS label. Otherwise, print or type.	Name, Number, street, room/suite no., City/Town, state, and ZIP code <b>SCOOP CAPITAL, LLC</b>	<b>D</b> Employer identification no. <b>59-3729017</b>
<b>B</b> Principal product or service <b>INVEST MGMT</b>		<b>1618 MAIN STREET</b>	<b>E</b> Date business started <b>01/01/2003</b>
<b>C</b> Business code number <b>523900</b>		<b>SARASOTA FL 34236-5811</b>	<b>F</b> Total assets (see the instr.) <b>\$ 2,773,271.</b>
<b>G</b> Check applicable boxes: (1) <input type="checkbox"/> Initial return (2) <input type="checkbox"/> Final return (3) <input type="checkbox"/> Name change (4) <input checked="" type="checkbox"/> Address change (5) <input checked="" type="checkbox"/> Amended return			
<b>H</b> Check accounting method: (1) <input checked="" type="checkbox"/> Cash (2) <input type="checkbox"/> Accrual (3) <input type="checkbox"/> Other (specify) ▶			
<b>I</b> Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year ▶		<b>2</b>	

Caution: Include only trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

Income	1a Gross receipts or sales	1a		1c
	b Less returns and allowances	1b		
	2 Cost of goods sold (Schedule A, line 8)			2
	3 Gross profit. Subtract line 2 from line 1c			3
	4 Ordinary income (loss) from other partnerships, estates, and trusts (attach statement)			4
	5 Net farm profit (loss) (attach Schedule F (Form 1040))			5
6 Net gain (loss) from Form 4797, Part II, line 17 (attach Form 4797)			6	
7 Other income (loss) (attach statement)	SELECTED OSC 80 Aug 13, 2009		7	2,833,545.
8 Total income (loss). Combine lines 3 through 7			8	2,833,545.
Deductions (see the instructions for limitations)	9 Salaries and wages (other than to partners) (less employment credits)			9
	10 Guaranteed payments to partners			10
	11 Repairs and maintenance			11
	12 Bad debts			12
	13 Rent			13
	14 Taxes and licenses			14
	15 Interest			15
	16a Depreciation (if required, attach Form 4562)	16a		
	b Less depreciation reported on Schedule A and elsewhere on return	16b		16c
	17 Depletion (Do not deduct oil and gas depletion.)			17
	18 Retirement plans, etc.			18
19 Employee benefit programs			19	
20 Other deductions (attach statement)			20	3,312.
21 Total deductions. Add the amounts shown in the far right column for lines 9 through 20			21	3,312.
22 Ordinary business income (loss). Subtract line 21 from line 8			22	2,830,233.

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than general partner or limited liability company member) is based on all information of which preparer has any knowledge.

Sign Here ▶ Marquesite Rodol ▶ 04/14/2009

Signature of general partner or limited liability co. member manager Date

May the IRS discuss this return with the preparer shown below (see instructions)?  Yes  No

Paid Preparer's Use Only	Preparer's signature	Date	Check if self-employed <input checked="" type="checkbox"/>	Preparer's SSN or PTIN
	Firm's name (or yours if self-employed), address, and ZIP code			
	MICHAEL D ZUCKER ACCTG & TAX S	04/10/2009		P00063529
	5037 WILLOW LEAF WAY		EIN ▶	
	SARASOTA FL 34241-6234		Phone no.	941-379-0003

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions. Form 1065 (2005)

STATUTE CLEARED. JUDINK 04/03/2009

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**Schedule A Cost of Goods Sold** (See the instructions)

1	Inventory at beginning of year	1
2	Purchases less cost of items withdrawn for personal use	2
3	Cost of labor	3
4	Additional section 263A costs (attach statement)	4
5	Other costs (attach statement)	5
6	Total. Add lines 1 through 5	6
7	Inventory at end of year	7
8	Cost of goods sold. Subtract line 7 from line 6. Enter here and on page 1, line 2	8

9a Check all methods used for valuing closing inventory:

- (i)  Cost as described in Regulations section 1.471-3
- (ii)  Lower of cost or market as described in Regulations section 1.471-4
- (iii)  Other (specify method used and attach explanation) ▶

- b Check this box if there was a writedown of "subnormal" goods as described in Regulations section 1.417-2(c)  Yes  No
- c Check this box if the LIFO inventory method was adopted this tax year for any goods (if checked, attach Form 970).  Yes  No
- d Do the rules of section 263A (for property produced or acquired for resale) apply to the partnership?  Yes  No
- e Was there any change in determining quantities, cost, or valuations between opening and closing inventory?  Yes  No

If "Yes," attach explanation.

**Schedule B Other Information**

Yes No

- 1 What type of entity is filing this return? Check the applicable box:
  - a  Domestic general partnership
  - b  Domestic limited partnership
  - c  Domestic limited liability company
  - d  Domestic limited liability partnership
  - e  Foreign partnership
  - f  Other ▶
- 2 Are any partners in this partnership also partnerships?  Yes  No
- 3 During the partnership's tax year, did the partnership own any interest in another partnership or in any foreign entity that was disregarded as an entity separate from its owner under Regulations sections 301.7701-2 and 301.7701-3?  Yes  No
- 4 Did the partnership file Form 8893, Election of Partnership Level Tax Treatment, or an election statement under section 6231(a)(1)(B)(ii) for partnership-level tax treatment, that is in effect for this tax year? See Form 8893 for more details  Yes  No
- 5 Does this partnership meet all three of the following requirements?
  - a The partnership's total receipts for the tax year were less than \$250,000;
  - b The partnership's total assets at the end of the tax year were less than \$600,000; and
  - c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return.
 If "Yes," the partnership is not required to complete Schedules L, M-1, and M-2; Item F on page 1 of Form 1065; or Item N on Schedule K-1  Yes  No
- 6 Does this partnership have any foreign partners? If "Yes," the partnership may have to file Forms 8804, 8805 and 8813. See the instructions.  Yes  No
- 7 Is this partnership a publicly traded partnership as defined in section 469(k)(2)?  Yes  No
- 8 Has this partnership filed, or is it required to file, a return under section 6111 to provide information on any reportable transaction?  Yes  No
- 9 At any time during calendar year 2005, did the partnership have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? See the instructions for exceptions and filing requirements for Form TD F 90-22.1. If "Yes," enter the name of the foreign country.  Yes  No
- 10 During the tax year, did the partnership receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If "Yes," the partnership may have to file Form 3520. See the instructions  Yes  No
- 11 Was there a distribution of property or a transfer (for example, by sale or death) of a partnership interest during the tax year? If "Yes," you may elect to adjust the basis of the partnership's assets under section 754 by attaching the statement described under Elections Made By the Partnership in the instructions  Yes  No
- 12 Enter the number of Forms 8865, Return of U.S. Persons With Respect to Certain Foreign Partnerships, attached to this return  0

**Designation of Tax Matters Partner** (see the instructions)

Enter below the general partner designated as the tax matters partner (TMP) for the tax year of this return:

Name of designated TMP **ARTHUR NADEL** Identifying number of TMP **060-26-44**  
 Address of designated TMP **3966 COUNTRY VIEW DRIVE**  
**SARASOTA FL 34233**

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Schedule K-1 Partners' Distributive Share Items		Total amount
	<b>1</b> Ordinary business income (loss) (page 1, line 22) .....	<b>1</b> 2,830,233.
	<b>2</b> Net rental real estate income (loss) (attach Form 8825) .....	<b>2</b>
	<b>3a</b> Other gross rental income (loss) .....	<b>3a</b>
	<b>b</b> Expenses from other rental activities (attach statement) .....	<b>3b</b>
	<b>c</b> Other net rental income (loss). Subtract line 3b from line 3a .....	<b>3c</b>
	<b>4</b> Guaranteed payments .....	<b>4</b>
	<b>5</b> Interest income .....	<b>5</b>
	<b>6</b> Dividends: <b>a</b> Ordinary dividends .....	<b>6a</b>
	<b>b</b> Qualified dividends .....	<b>6b</b>
	<b>7</b> Royalties .....	<b>7</b>
	<b>8</b> Net short-term capital gain (loss) (attach Schedule D (Form 1065)) .....	<b>8</b> 6,205,153.
	<b>9a</b> Net long-term capital gain (loss) (attach Schedule D (Form 1065)) .....	<b>9a</b> (17,928.)
	<b>b</b> Collectibles (28%) gain (loss) .....	<b>9b</b>
	<b>c</b> Unrecaptured section 1250 gain (attach statement) .....	<b>9c</b>
	<b>10</b> Net section 1231 gain (loss) (attach Form 4797) .....	<b>10</b>
	<b>11</b> Other income (loss) (see instructions) Type ▶ .....	<b>11</b>
	<b>12</b> Section 179 deduction (attach Form 4562) .....	<b>12</b>
	<b>13a</b> Contributions .....	<b>13a</b>
	<b>b</b> Investment interest expense .....	<b>13b</b>
	<b>c</b> Section 59(e)(2) expenditures: <b>(1)</b> Type ▶ <b>(2)</b> Amount ▶ .....	<b>13c(2)</b>
	<b>d</b> Other deductions (see instructions) Type ▶ .....	<b>13d</b>
	<b>14a</b> Net earnings (loss) from self-employment .....	<b>14a</b>
	<b>b</b> Gross farming or fishing income .....	<b>14b</b>
	<b>c</b> Gross nonfarm income .....	<b>14c</b>
	<b>15a</b> Low-income housing credit (section 42(j)(5)) .....	<b>15a</b>
	<b>b</b> Low-income housing credit (other) .....	<b>15b</b>
	<b>c</b> Qualified rehabilitation expenditures (rental real estate) (attach Form 3468) .....	<b>15c</b>
	<b>d</b> Other rental real estate credits (see instructions) Type ▶ .....	<b>15d</b>
	<b>e</b> Other rental credits (see instructions) Type ▶ .....	<b>15e</b>
	<b>f</b> Other credits and credit recapture (see instructions) Type ▶ .....	<b>15f</b>
	<b>16a</b> Name of country or U.S. possession ▶ .....	<b>16a</b>
	<b>b</b> Gross income from all sources .....	<b>16b</b>
	<b>c</b> Gross income sourced at partner level .....	<b>16c</b>
	<b>d</b> Passive ▶ <b>e</b> Listed categories (attach statement) ▶ <b>f</b> General limitation ▶ .....	<b>16d</b>
	<b>e</b> Deductions allocated and apportioned at partner level .....	<b>16e</b>
	<b>g</b> Interest expense ▶ <b>h</b> Other ▶ .....	<b>16g</b>
	<b>h</b> Deductions allocated and apportioned at partnership level to foreign source income .....	<b>16h</b>
	<b>i</b> Passive ▶ <b>j</b> Listed categories (attach statement) ▶ <b>k</b> General limitation ▶ .....	<b>16i</b>
	<b>j</b> Total foreign taxes (check one): <b>l</b> Paid <input type="checkbox"/> <b>l</b> Accrued <input type="checkbox"/> .....	<b>16j</b>
	<b>m</b> Reduction in taxes available for credit (attach statement) .....	<b>16m</b>
	<b>n</b> Other foreign tax information (attach statement) .....	<b>16n</b>
	<b>17a</b> Post-1986 depreciation adjustment .....	<b>17a</b>
	<b>b</b> Adjusted gain or loss .....	<b>17b</b>
	<b>c</b> Depletion (other than oil and gas) .....	<b>17c</b>
	<b>d</b> Oil, gas, and geothermal properties-gross income .....	<b>17d</b>
	<b>e</b> Oil, gas, and geothermal properties-deductions .....	<b>17e</b>
	<b>f</b> Other AMT items (attach statement) .....	<b>17f</b>
	<b>18a</b> Tax-exempt interest income .....	<b>18a</b>
	<b>b</b> Other tax-exempt income .....	<b>18b</b>
	<b>c</b> Nondeductible expenses .....	<b>18c</b>
	<b>19a</b> Distributions of cash and marketable securities .....	<b>19a</b>
	<b>b</b> Distributions of other property .....	<b>19b</b>
	<b>20a</b> Investment income .....	<b>20a</b>
	<b>b</b> Investment expenses .....	<b>20b</b>
	<b>c</b> Other items and amounts (attach statement) .....	<b>20c</b>

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**Analysis of Net Income (Loss)**

1 Net income (loss). Combine Schedule K, lines 1 through 11. From the result, subtract the sum of Schedule K, lines 12 through 13d, and 16i						(21,240.)
2 Analysis by partner type:	(i) Corporate	(ii) Individual (active)	(iii) Individual (passive)	(iv) Partnership	(v) Exempt organization	(vi) Nominee/ Other
a General partners		(21,240.)				
b Limited partners						

Note: Schedules L, M-1, and M-2 are not required if Question 5 of Schedule B is answered "Yes."

Schedule L	Balance Sheets per Books	Beginning of tax year		End of tax year	
		(a)	(b)	(c)	(d)
<b>Assets</b>					
1	Cash		524,423.		2,773,271.
2a	Trade notes and accounts receivable	12,000.			
b	Less allowance for bad debts		12,000.		
3	Inventories				
4	U.S. government obligations				
5	Tax-exempt securities				
6	Other current assets (attach statement)				
7	Mortgage and real estate loans				
8	Other investments (attach statement)	SEE STMT	17,968.		
9a	Buildings and other depreciable assets				
b	Less accumulated depreciation				
10a	Depletable assets				
b	Less accumulated depletion				
11	Land (net of any amortization)				
12a	Intangible assets (amortizable only)				
b	Less accumulated amortization				
13	Other assets (attach statement)				
14	<b>Total assets</b>		554,391.		2,773,271.
<b>Liabilities and Capital</b>					
15	Accounts payable				
16	Mortgages, notes, bonds payable in less than 1 year				
17	Other current liabilities (attach statement)				
18	All nonrecourse loans				
19	Mortgages, notes, bonds payable in 1 year or more				
20	Other liabilities (attach statement)				
21	Partners' capital accounts		554,391.		2,773,271.
22	<b>Total liabilities and capital</b>		554,391.		2,773,271.

**Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return**

1	Net income (loss) per books	(21,240.)	6	Income recorded on books this year not included on Schedule K, lines 1 through 11 (itemize):	
2	Income included on Schedule K, lines 1, 2, 3c, 5, 6a, 7, 8, 9a, 10, and 11, not recorded on books this year (itemize):		a	Tax-exempt interest \$	
3	Guaranteed payments (other than health ins.)		7	Deductions included on Schedule K, lines 1 through 13d, and 16i, not charged against book income this year (itemize):	
4	Expenses recorded on books this year not included on Schedule K, lines 1 through 13d, and 16i (itemize):		a	Depreciation \$	
a	Depreciation \$		8	Add lines 6 and 7	
b	Travel/entertainment \$		9	Income (loss) (Analysis of Net Income (Loss), line 1). Subtract line 8 from line 5	(21,240.)
5	Add lines 1 through 4	(21,240.)			

**Schedule M-2 Analysis of Partners' Capital Accounts**

1	Balance at beginning of year	554,391.	6	Distributions:	6,798,578.
2	Capital contributed:		a	Cash	
a	Cash		b	Property	
b	Property		7	Other decreases (itemize):	
3	Net income (loss) per books	(21,240.)	8	Add lines 6 and 7	6,798,578.
4	Other increases (itemize):	9,038,698.	9	Balance at end of year. Subtract line 8 from line 5	2,773,271.
5	Add lines 1 through 4	9,571,849.			



**Schedule D  
(Form 1065)**

**Capital Gains and Losses**

OMB No. 1545-0099

**2005**

Department of the Treasury  
Internal Revenue Service

▶ Attach to Form 1065.

Name of partnership  
**SCOOP CAPITAL, LLC**

Employer identification number  
**59-3729017**

**Part I Short-Term Capital Gains and Losses - Assets Held 1 Year or Less**

(a) Description of property (e.g., 100 shares of "Z" Co.)	(b) Date acquired (month, day, year)	(c) Date sold (month, day, year)	(d) Sales price (see instructions)	(e) Cost or other basis (see instructions)	(f) Gain or (loss) Subtract (e) from (d)
<b>1</b> DETAILS	VA/RI/OUS		970841110.	964635957.	6205153.
AVAILABLE UPON					
REQUEST					
<b>2</b> Short-term capital gain from installment sales from Form 6252, lines 26 or 37 .....					<b>2</b>
<b>3</b> Short-term capital gain (loss) from like-kind exchanges from Form 8824 .....					<b>3</b>
<b>4</b> Partnership's share of net short-term capital gain (loss), including specially allocated short-term capital gains (losses), from other partnerships, estates, and trusts .....					<b>4</b>
<b>5</b> Net short-term capital gain or (loss). Combine lines 1 through 4 in column (f). Enter here and on Form 1065, Schedule K, line 8 or 11 .....					<b>5</b> 6205153.

**Part II Long-Term Capital Gains and Losses - Assets Held More Than 1 Year**

(a) Description of property (e.g., 100 shares of "Z" Co.)	(b) Date acquired (month, day, year)	(c) Date sold (month, day, year)	(d) Sales price (see instructions)	(e) Cost or other basis (see instructions)	(f) Gain or (loss) Subtract (e) from (d)
<b>6</b> JS-003, LLC	01/01/2003	12/31/2005		17928.	-17928.
<b>7</b> Long-term capital gain from installment sales from Form 6252, lines 26 or 37 .....					<b>7</b>
<b>8</b> Long-term capital gain (loss) from like-kind exchanges from Form 8824 .....					<b>8</b>
<b>9</b> Partnership's share of net long-term capital gain (loss), including specially allocated long-term capital gains (losses), from other partnerships, estates, and trusts .....					<b>9</b>
<b>10</b> Capital gain distributions .....					<b>10</b>
<b>11</b> Net long-term capital gain or (loss). Combine lines 6 through 10 in column (f). Enter here and on Form 1065, Schedule K, line 9a or 11 .....					<b>11</b> -17928.

For Privacy Act and Paperwork Reduction Act Notice, see the Instructions for Form 1065.

Schedule D (Form 1065) 2005

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US 1065

Schedule L, Line 8: Other Investments

2005

Description	Beginning of Year	End of Year
JS-003, L.L.C.	17,968. 17,968.	

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2005

Final K-1

Amended K-1

OMB No. 1545-0099

Schedule K-1 (Form 1065) Department of the Treasury Internal Revenue Service

For calendar year 2005, or tax year beginning JAN 01, 2005 ending DEC 31, 2005

Partner's Share of Current Year Income, Deductions, Credits, and Other Items

Partner's Share of Income, Deductions, Credits, etc. See separate instructions.

Information About the Partnership

A Partnership's employer identification number 59-3729017
B Partnership's name, address, city, state, and ZIP code SCOOP CAPITAL, LLC 1618 MAIN STREET SARASOTA FL 34236-5811
C IRS Center where partnership filed return OGDEN UT
D Check if this is a publicly traded partnership (FTP)
E Tax shelter registration number, if any
F Check if Form 8271 is attached

Information About the Partner

G Partner's identifying number 060-26-4425
H Partner's name, address, city, state, and ZIP code ARTHUR NADEL 3966 COUNTRY VIEW DRIVE SARASOTA FL 34233
I General partner or LLC member-manager Limited partner or other LLC member
J Domestic partner Foreign partner
K What type of entity is this partner? INDIVIDUAL
L Partner's share of profit, loss, and capital: Beginning Ending Profit 50.000 % 50.000 % Loss 50.000 % 50.000 % Capital 50.000 % 50.000 %
M Partner's share of liabilities at year end: Nonrecourse \$ Qualified nonrecourse financing \$ Recourse \$

Table with 3 columns: Line number, Description, and Code. Rows include: 1 Ordinary business income (loss) (1,656.) 15 Credits & credit recapture; 2 Not rental real estate income (loss); 3 Other net rental income (loss) 16 Foreign transactions; 4 Guaranteed payments; 5 Interest income; 6a Ordinary dividends; 6b Qualified dividends; 7 Royalties; 8 Net short-term capital gain (loss); 9a Net long-term capital gain (loss) (8,964.) 17 Alternative minimum tax (AMT) items; 9b Collectibles (28%) gain (loss); 9c Unrecaptured section 1250 gain; 10 Net section 1231 gain (loss) 18 Tax-exempt inc. & nondeductible exp.; 11 Other income (loss); 12 Section 179 deduction; 13 Other deductions 20 Other Information; 14 Self-employment earnings (loss); 19 Distributions.

\*See attached statement for additional information.

For IRS Use Only

N Partner's capital account analysis: Beginning capital account \$ 277,196. Capital contributed during the year \$ Current year increase (decrease) \$ 4,508,729. Withdrawals & distributions \$ 3,399,289. Ending capital account \$ 1,386,636.
Tax basis GAAP Section 704(b) book Other (explain)

For Privacy Act and Paperwork Reduction Act Notice, see instructions for Form 1065.

Schedule K-1 (Form 1065) 2005

2005

Final K-1

Amended K-1

OMB No. 1545-0099

Schedule K-1 (Form 1065)

For calendar year 2005, or tax year beginning JAN 01, 2005 ending DEC 31, 2005

Partner's Share of Income, Deductions, Credits, etc. See separate instructions.

Partner's Share of Current Year Income, Deductions, Credits, and Other Items

Information About the Partnership
A Partnership's employer identification number 59-3729017
B Partnership's name, address, city, state, and ZIP code SCOOP CAPITAL, LLC 1618 MAIN STREET SARASOTA FL 34236-5811
C IRS Center where partnership filed return OGDEN UT
D Check if this is a publicly traded partnership (PTP)
E Tax shelter registration number, if any
F Check if Form 8271 is attached

Information About the Partner
G Partner's identifying number 265-46-1720
H Partner's name, address, city, state, and ZIP code MARGUERITE NADEL 3966 COUNTRY VIEW DRIVE SARASOTA FL 34233
I General partner or LLC member-manager Limited partner or other LLC member
J Domestic partner Foreign partner
K What type of entity is this partner? INDIVIDUAL
L Partner's share of profit, loss, and capital:
Beginning Ending
Profit 50.000 % 50.000 %
Loss 50.000 % 50.000 %
Capital 50.000 % 50.000 %
M Partner's share of liabilities at year end:
Nonrecourse \$
Qualified nonrecourse financing \$
Recourse \$

N Partner's capital account analysis:
Beginning capital account \$ 277,197.
Capital contributed during the year \$
Current year increase (decrease) \$ 4,508,729.
Withdrawals & distributions \$ 3,399,289.
Ending capital account \$ 1,386,637.
[X] Tax basis [ ] GAAP [ ] Section 704(b) book
[ ] Other (explain)

Table with 3 columns: Line number, Description, and Code. Rows include: 1 Ordinary business income (loss) (1,656.) 15 Credits & credit recapture; 2 Net rental real estate income (loss); 3 Other net rental income (loss) 16 Foreign transactions; 4 Guaranteed payments; 5 Interest income; 6a Ordinary dividends; 6b Qualified dividends; 7 Royalties; 8 Net short-term capital gain (loss); 8a Net long-term capital gain (loss) (8,964.) 17 Alternative minimum tax (AMT) items; 8b Collectibles (28%) gain (loss); 8c Unrecaptured section 1250 gain; 10 Net section 1231 gain (loss) 18 Tax-exempt inc. & nondeductible exp.; 11 Other income (loss); 19 Distributions; 12 Section 179 deduction; 13 Other deductions 20 Other information; 14 Self-employment earnings (loss)

\*See attached statement for additional information.

For IRS Use Only



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

LARGE AND MID-SIZE  
BUSINESS DIVISION

3848 West Columbus Dr.  
Stop: LMSB:HMT:1712:DP  
Tampa, FL 33607

Date: July 8, 2010

Marguerite Nadel  
3966 Country View Drive  
Sarasota, FL 34233-4128

Re: Scoop Capital, LLC.

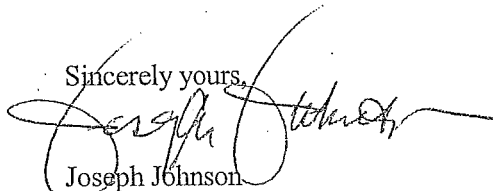
**Taxpayer Identification Number:**  
59-3729017  
**Kind of Tax:**  
U.S. Return of Partnership Income  
**Tax Year Ended:**  
December 31, 2005  
**Person to Contact/ID Number:**  
Doreen Penberthy/0772850  
**Contact Telephone Number:**  
(813) 315-2427  
**FAX Number:**  
(813) 315-2492  
**Refer Reply to:**  
LMSB:HMT:1712:DP

Dear Mrs. Nadel:

We have received two Protective Filing of Amended Tax Returns, Forms 1065, for Scoop Capital, LLC for the tax year 2005, which were signed by you on April 14, 2009.

We must disallow and cannot accept these filings because this action is in contravention of the Order Appointing Receiver signed on January 21, 2009 by Richard A. Lazzara, United States District Judge, a copy of which is enclosed.

Sincerely yours,



Joseph Johnson  
Team Group Manager





DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

LARGE AND MID-SIZE  
BUSINESS DIVISION

3848 West Columbus Dr.  
Stop: LMSB:HMT:1712:DP  
Tampa, FL 33607

Date: July 8, 2010

Michael D. Zucker  
5037 Willow Leaf Way  
Sarasota, FL 34241-6234

Re: Scoop Capital, LLC.

**Taxpayer Identification Number:**  
59-3729017  
**Kind of Tax:**  
U.S. Return of Partnership Income  
**Tax Year Ended:**  
December 31, 2005  
**Person to Contact/ID Number:**  
Doreen Penberthy/0772850  
**Contact Telephone Number:**  
(813) 315-2427  
**FAX Number:**  
(813) 315-2492  
**Refer Reply to:**  
LMSB:HMT:1712:DP

Dear Mr. Zucker:

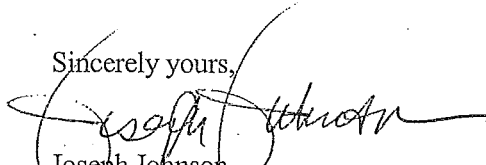
We have received a Form 2848, Power of Attorney, naming you as Representative and signed by Marguerite Nadel for Scoop Capital, LLC.

We cannot accept the Form 2848 because this action is in contravention of the Order Appointing Receiver signed on January 21, 2009 by Richard A. Lazzara, United States District Judge, a copy of which is enclosed.

Since you are not an authorized representative in the matters of Scoop Capital, LLC, we cannot respond to your letters dated March 17, 2010 and May 19, 2010.

With respect to any matters relating to the personal income taxes of Mr. Nadel and Mrs. Nadel, please send all correspondence to Internal Revenue Agent Donna J. Boris, 3848 W. Columbus Drive, Stop: SBSE:Grp 9: DB, Tampa, FL 33607.

Sincerely yours,



Joseph Johnson  
Team Group Manager

cc: Marguerite Nadel  
3966 Country View Drive  
Sarasota, FL 34233-4128

25

**MICHAEL D. ZUCKER**  
**5037 WILLOW LEAF WAY**  
**SARASOTA FL 34241-6234**

~~~  
Tel. (941) 379 - 0003

Fax. (941) 377 - 4022

E-Mail

[michaeldonn@comcast.net](mailto:michaeldonn@comcast.net)

Via Certified Mail - # 7010 0290 0000 5684 2873

March 17, 2010

Internal Revenue Agent Doreen Penberthy  
Internal Revenue Service  
3848 West Columbus Drive  
Tampa FL 33607

RECEIVED  
INTERNAL REVENUE SERVICE

MAR 22 2010

**Re: Notification of Beginning of Partnership Audit**  
**Scoop Capital, LLC**  
**Partnership ID Number: 59-3729017**  
**Tax Year Ended: December 31, 2005**

LMSB EXAM GROUP  
TAMPA, FLORIDA

Dear Agent Penberthy:

I was the accountant for Scoop Capital, LLC and prepared its 2005 Form 1065, U.S. Return of Partnership Income.

You sent a letter to Marguerite Nadel, dated March 11, 2010, informing her of the beginning of the partnership audit. Mrs. Nadel has asked me to communicate with you relating to the impending audit. I am therefore attaching a signed Form 2848, Power of Attorney. Mrs. Nadel has signed the Power as a Member Manager of Scoop Capital, LLC.

There is a major problem as it relates to the partnership audit. Arthur Nadel and Marguerite Nadel are each 50% owners of Scoop Capital, LLC. Scoop Capital, LLC was the owner of various companies under its umbrella. It also generated much of its income from incentive fees income and management fees income from trading for six hedge funds.

In January 2009 it was found out that Mr. Nadel had run a \$397,000,000 Ponzi scheme in trading stocks for the six hedge funds. The SEC and the U.S. Attorney in the Southern District of New York brought charges against Mr. Nadel and he has been in a Federal prison in New York City awaiting trial.

**Accounting and Tax Services**

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As a result of Mr. Nadel's actions the Federal Judge in Tampa FL appointed a receiver, Burton Wiand of Wiand, Guera, King, 3000 Bayport Drive (# 600), Tampa FL 33607. Mr. Wiand's first action was to take control of the six hedge funds, Scoop Capital, LLC, Scoop Management, Inc. and various other entities controlled by Mr. Nadel and other companies owned by the general partners in three of the six hedge funds.

All of the books and records of all of these companies, including my tax files, have been taken by Mr. Wiand, as Receiver. These records go back to the 1990 when Mr. Nadel first ran investment clubs. Because of this neither Mrs. Nadel or I have access to any of these records. Mr. Nadel's trial is scheduled for June 2010 in New York City, and perhaps after this trial is concluded, these files may be returned.

A major problem is who has control and ownership of Scoop Capital, LLC and its related companies? And then the question becomes who is to handle the audit for Scoop Capital, LLC for the tax year 2005?

To compound the matter even more, in the tax year 2008 Mr. Nadel and Mrs. Nadel filed separate income tax returns. It is the responsibility of Mr. Wiand, as Receiver, to prepare the various Forms 1065 for the hedge funds and to prepare the appropriate tax returns for Scoop Capital, LLC, Scoop Management, Inc. and its related entities. To my knowledge these returns have not yet been prepared by Mr. Wiand.

In estimating what the Nadels' estimated tax liability would be, they made estimated 2008 income payments amounting to \$1,297,328, and when I prepared their separate 2008 Forms 1040, I allocated \$648,664 estimated tax payments to each of them. Mrs. Nadel also had Federal income tax withheld of \$51,294. As Mrs. Nadel had never received any K-1s for the various companies, I had to leave out any income from Scoop Capital, LLC, Scoop Management, Inc. and the other related entities.

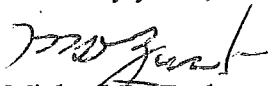
Mrs. Nadel had an overpayment of \$676,595 and the Department of the Treasury just sent her a refund check for the full amount. She has not cashed this check because by the time the missing k-1s and other documents are finally prepared, a good portion of this refund check will be owed back to the IRS and she doesn't want to be saddled with interest and other related charges.

The major questions, as I see it, are:

1. Who is to handle the 2005 audit of Scoop Capital, LLC?
2. What should be done with the Mrs. Nadel's 2008 tax refund of \$676,595?
3. Who can be contacted at the Internal Revenue Service about Mr. Wiand not preparing the various 2008 income tax returns?

Thank you for your consideration and help in this matter.

Sincerely yours,

  
Michael D. Zucker

CC: Marguerite J. Nadel  
John Lopez, Esq.

## Power of Attorney and Declaration of Representative

▶ Type or print. ▶ See the separate instructions.

OMB No. 1545-0150  
 For IRS Use Only  
 Received by:  
 Name Doreen Penberth  
 Telephone (813) 315-2421  
 Function Revenue Agent  
 Date 02/22/10

**Part I** Power of Attorney

**Caution:** Form 2848 will not be honored for any purpose other than representation before the IRS.

**1 Taxpayer information.** Taxpayer(s) must sign and date this form on page 2, line 9.

|                                                                                                                                  |                                                                                       |                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Taxpayer name(s) and address<br><br><b>SCOOP CAPITAL, LLC</b><br><b>3966 COUNTRY VIEW DRIVE</b><br><b>SARASOTA FL 34233-4128</b> | Social security number(s)<br><br><br><br>Daytime telephone number<br>( 941 ) 927-3830 | Employer identification number<br><br><b>59 : 3729017</b><br><br>Plan number (if applicable) |
|----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|

hereby appoint(s) the following representative(s) as attorney(s)-in-fact:

**2 Representative(s) must sign and date this form on page 2, Part II.**

|                                                                                                                  |                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name and address<br><br><b>MICHAEL D. ZUCKER</b><br><b>5037 WILLOW LEAF WAY</b><br><b>SARASOTA FL 34241-6234</b> | CAF No. <u>6505-62154R</u><br>Telephone No. <u>941 379-0003</u><br>Fax No. <u>941 377-4022</u><br>Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/> |
| Name and address<br><br><b>INTERNAL REVENUE SERVICE</b><br><br><b>MAR 22 2010</b>                                | CAF No. _____<br>Telephone No. _____<br>Fax No. _____<br>Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>                                          |
| Name and address<br><br><b>LMSB EXAM GROUP</b><br><b>TAMPA, FLORIDA</b>                                          | CAF No. _____<br>Telephone No. _____<br>Fax No. _____<br>Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>                                          |

to represent the taxpayer(s) before the Internal Revenue Service for the following tax matters:

**3 Tax matters**

| Type of Tax (Income, Employment, Excise, etc.)<br>or Civil Penalty (see the instructions for line 3) | Tax Form Number<br>(1040, 941, 720, etc.) | Year(s) or Period(s)<br>(see the instructions for line 3) |
|------------------------------------------------------------------------------------------------------|-------------------------------------------|-----------------------------------------------------------|
| <b>PARTNERSHIP AUDIT</b>                                                                             | <b>1065</b>                               | <b>2005</b>                                               |
|                                                                                                      |                                           |                                                           |
|                                                                                                      |                                           |                                                           |

**4 Specific use not recorded on Centralized Authorization File (CAF).** If the power of attorney is for a specific use not recorded on CAF, check this box. See the instructions for Line 4. **Specific Uses Not Recorded on CAF**

**5 Acts authorized.** The representatives are authorized to receive and inspect confidential tax information and to perform any and all acts that I (we) can perform with respect to the tax matters described on line 3, for example, the authority to sign any agreements, consents, or other documents. The authority does not include the power to receive refund checks (see line 6 below), the power to substitute another representative or add additional representatives, the power to sign certain returns, or the power to execute a request for disclosure of tax returns or return information to a third party. See the line 5 instructions for more information.

**Exceptions.** An unenrolled return preparer cannot sign any document for a taxpayer and may only represent taxpayers in limited situations. See **Unenrolled Return Preparer** on page 1 of the instructions. An enrolled actuary may only represent taxpayers to the extent provided in section 10.3(d) of Treasury Department Circular No. 230 (Circular 230). An enrolled retirement plan administrator may only represent taxpayers to the extent provided in section 10.3(e) of Circular 230. See the line 5 instructions for restrictions on tax matters partners. In most cases, the student practitioner's (levels k and l) authority is limited (for example, they may only practice under the supervision of another practitioner).

List any specific additions or deletions to the acts otherwise authorized in this power of attorney: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**6 Receipt of refund checks.** If you want to authorize a representative named on line 2 to receive, **BUT NOT TO ENDORSE OR CASH**, refund checks, initial here \_\_\_\_\_ and list the name of that representative below.

Name of representative to receive refund check(s) ▶ **MARGUERITE NADEL, MEMBER MANAGER**

(28)



Internal Revenue Service  
3848 W. Columbus Drive, Tampa, FL 33607

Department of the Treasury

Date: March 11, 2010

Marguerite Nadel  
3966 Country View Drive  
Sarasota, FL 34233

Name of Partnership:  
Scoop Capital, LLC  
Partnership ID Number:  
59-3729017  
Tax Year Ended:  
December 31, 2005  
Person to Contact:  
Doreen Penberthy  
Employee Identification Number:  
0772850  
Contact Hours:  
7:00 am - 3:30 pm  
Telephone Number:  
(Not a toll-free number)  
(813) 315-2427

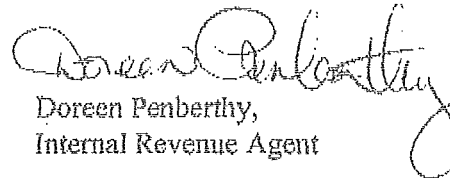
#### NOTIFICATION OF BEGINNING OF PARTNERSHIP AUDIT

The purpose of this letter is to inform you that we are beginning an examination of the partnership named above. Since you were a partner during the period under examination, any adjustments made to the partnership may affect your income tax return. You don't need to do anything at this time; we'll inform you of any adjustments to the partnership that affect your return.

If you have any questions about this letter, you may either write to the person whose name and address are shown above, or you may call the telephone number shown. If you write, please include a copy of this letter and include your telephone number with the most convenient time for us to call so we can contact you if we need additional information.

Thank you for your cooperation.

Sincerely yours,

  
Doreen Penberthy,  
Internal Revenue Agent

**MICHAEL D. ZUCKER**  
5037 WILLOW LEAF WAY  
SARASOTA FL 34241-6234

~ ~ ~  
Tel. (941) 379 - 0003

Fax. (941) 377 - 4022

E-Mail

[michaeldonn@comcast.net](mailto:michaeldonn@comcast.net)

Mailed Certified Mail  
# 7010 0290 0000 5684 2767

May 19, 2010

Internal Revenue Service Agent Doreen Penberthy  
Internal Revenue Service  
3848 Columbus Drive  
Tampa FL 33607

RECEIVED  
INTERNAL REVENUE SERVICE

MAY 21 2010

Re: **Scoop Capital, LLC**  
**Partnership FEIN: 59-3729017**  
**Tax Year Ended: December 31, 2005**

LMSB EXAM GROUP  
TAMPA, FLORIDA

Dear Agent Penberthy:

You told Mrs. Nadel, a General Partner of Scoop Capital, LLC, that you needed proof that I was the preparer of the original 2005 Form 1065 for Scoop Capital, Inc..

Unfortunately, the only 2005 Form 1065, U.S. Return of Partnership Income, that I have is an Amended Return that was a PROTECTIVE REFUND CLAIM filed on April 10, 2009. The three year statute of limitations was about to expire, and I thought that this protective refund claim should be filed. The IRS later rejected this claim stating "the information you submitted does not justify selection as a protective claim, You have not provided any documentation of your involvement in a lawsuit against Scoop Management".

This claim was never pursued based on "Ponzi" regulations that were put in place.

I am enclosing a copy of the 2005 Amended Form 1065.

As I explained in my letter to you of March 17, 2010, the Receiver, Burton Wiand, has taken control of all of the various entities included in the SEC actions against Scoop Management, Inc. and Arthur Nadel, personally. Mr. Wiand has all of the books and records of Scoop Capital, LLC for the tax year 2005 and all other years. I feel that the audit of Scoop Capital, LLC must be handled by Mr. Wiand, as Receiver.

**Accounting and Tax Services**

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The other major problem is how to handle Internal Revenue Service tax refunds received by Marguerite Nadel and Arthur Nadel as follows:

- Marguerite Nadel \$676,595
- Arthur Nadel \$672,403

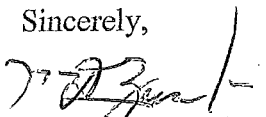
The problem is that Mr. Wiand is responsible for the preparation of ALL OF THE 2008 AND 2009 income tax returns, including Scoop Capital, LLC, Scoop Management, Inc., the six hedge funds and the other related entities, all of which, when prepared, will have an effect on the Nadels' 2008 and 2009 income tax returns.

These two checks are in the possession of Marguerite Nadel. If Mrs. Nadel handed over Arthur Nadel's check for \$672,403 to Mr. Wiand, he would immediately put the check into his Receivers account "never to be seen again". When Mr. Wiand "finally" gets around to preparing all of the 2008 income tax returns, Arthur Nadel's and Marguerite Nadel's overpayments would be much less and Mr. Nadel would then owe additional income taxes with no way to pay the tax liability off.

What Mrs. Nadel and I would like to do is mail the two tax refunds to you and ask you to send them back to the proper authority to cancel the checks and put these amounts back in to the taxpayers' individual accounts.

Thank you very much for your assistance.

Sincerely,



Michael D. Zucker

CC: Marguerite Nadel  
John Lopez, Esq.

Attachments – Copies of:

- Scoop Capital, LLC 2005 Amended Form 1065, U.S. Return of Partnership Income
- Arthur Nadel 2009 Form 1040 (Pages 1 and 2), U.S. Individual Income Tax Return
- Marguerite Nadel 2009 Form 1040 (Pages 1 and 2), U.S. Individual Income Tax Return