

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

Case No.: 8:09-cv-00087-RAL-TBM

v.

**ARTHUR NADEL, SCOOP
CAPITAL, LLC, SCOOP
MANAGEMENT, INC., 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,
VIKING MANAGEMENT, LLC,**

Defendants.

MOTION TO WITHDRAW

BUSH ROSS, P.A., Edward O. Savitz, Esq., Anne-Leigh Gaylord Moe, Esq., and Karen S. Cox, Esq. (hereinafter, collectively “Bush Ross”) move this Court for leave to withdraw as counsel for non-parties Donald H. Rowe, Joyce A. Rowe, Carnegie Asset Management, Inc., and Wall Street Digest, Inc. (hereinafter, collectively “the Rowe Non-Parties”), pursuant to Local Rule 2.03, and state:

1. The relationship between Bush Ross and the Rowe Non-Parties has become irretrievably broken such that Bush Ross is unable to further represent the Rowe Non-Parties in this matter.

2. Withdrawal is proper under Local Rule 2.03 and Rule 4.1.16(b) of the Rules Regulating the Florida Bar.

3. Bush Ross notified the Rowe Non-Parties of its intent to withdraw on December 6, 2010.

4. Bush Ross has notified counsel for receiver Burton Wiand its intent to withdraw.

5. The Rowe Non-Parties will likely require additional time to retain new counsel to represent them in this matter. A stay of thirty (30) days is expected to be sufficient to allow them to retain new counsel and for such counsel to file a notice of appearance with this Court.

6. This motion is not being filed for the purpose of delay.

WHEREFORE, Bush Ross respectfully requests that within ten (10) days of the date of this filing this Honorable Court enter an Order granting Bush Ross, P.A., Edward O. Savitz, Esq., Anne-Leigh Gaylord Moe, Esq., and Karen S. Cox, Esq. leave to withdraw as counsel for the Rowe Non-Parties, ordering that Bush Ross, P.A., Edward O. Savitz, Esq., Anne-Leigh Gaylord Moe, Esq., and Karen S. Cox, Esq. are no longer counsel of record for the Rowe Non-Parties in this matter, and staying this case for a period of thirty days to allow the Rowe Non-Parties to retain new counsel.

Certificate of Compliance with Local Rule 3.01(g)

Pursuant to Local Rule 3.01(g), the undersigned certifies she has attempted to confer in good faith with counsel for Burton Wiand. Counsel for Mr. Wiand does not oppose the motion to withdraw; however, he does oppose the request to continue any deadline or hearing date in this case while the Rowe Non-Parties endeavor to secure new counsel.

DATED: December 7, 2010.

s/ Anne-Leigh Moe
Edward O. Savitz
Florida Bar No. 0183867
esavitz@bushross.com
Anne-Leigh Gaylord Moe
Florida Bar No. 18409
amoe@bushross.com
Karen Cox
Florida Bar No. 456667
kcox@bushross.com
BUSH ROSS, P.A.
1801 North Highland Avenue
Tampa, FL 33602
Ph.: (813) 224-9255
Fax: (813) 223-9620
Attorneys for Donald H. Rowe

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 7, 2010, 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 U.S. Mail to the following non-CM/ECF participants:

Donald H. Rowe
Joyce A. Rowe
Carnegie Asset Management, Inc.
The Wall Street Digest, Inc.
1350 Main Street
Sarasota, FL 34236-5642

Arthur Nadel, #50690-018,
Metropolitan Correctional Center New York
150 Park Row
New York, New York 10007

s/ Anne-Leigh Moe