

**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 STAY DEADLINES PENDING LOCATION OF NEW COUNSEL

Non-parties Donald H. Rowe, Joyce A. Rowe, Carnegie Asset Management, Inc., and Wall Street Digest, Inc. (hereinafter, collectively “the Rowe Non-Parties”), by and through their undersigned counsel, file this motion to stay case deadlines pending location of new counsel, 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. Contemporaneously with this filing, Bush Ross has filed a motion to withdraw as counsel for the Rowe Non-Parties in this case, and in all other cases where Bush Ross has appeared as counsel for them.

3. Presently, there are pending deadlines in this case, including but not limited to a hearing on the Rowe Non-Parties' Motion for Protective Order scheduled for December 13, 2010.

4. In compliance with this Court's order, the Rowe Non-Parties have provided receiver Burton Wiand ("Wiand") with a considerable number of responsive documents in response to his second non-party subpoena to them. The Rowe Non-Parties have further provided their privilege log and attorney/client and work product privileged documents to the Court.

5. Under the circumstances, it is apparent that new counsel will be better suited to represent the Rowe Non-Parties with respect to the future pending deadlines in this case, including the hearing on the Rowe Non-Parties' Motion for Protective Order.

6. While a stay of pending deadlines is requested in the accompanying motion to withdraw, this motion is filed in an abundance of caution to secure time for the Rowe Non-Parties to locate new counsel. 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.

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

WHEREFORE, the Rowe Non-Parties respectfully request the entry of an Order staying the deadlines in this case, including the time to respond to plaintiff's amended complaint, for 30 days to allow the Rowe Non-Parties to locate new counsel.

Certificate of Compliance with Local Rule 3.01(g)

Pursuant to Local Rule 3.01(g), the undersigned certifies she has conferred in good faith with counsel for Wiand. Counsel for Wiand has indicated his objection to the extension of any deadline for these non-parties in this case while the non-parties endeavor to secure new counsel, including the hearing date on December 13, 2010.

DATED: December 7, 2010.

s/ Anne-Leigh Moe
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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 participant: Arthur Nadel, #50690-018, Metropolitan Correctional Center, New York, 150 Park Row, New York, New York 10007.

s/ Anne-Leigh Moe