

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No. 8:09-cv-87-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.

**THE RECEIVER'S, WIAND GUERRA KING P.L.'S, AND
THE SECURITY AND EXCHANGE COMMISSION'S UNOPPOSED JOINT
MOTION FOR AN EXTENSION OF TIME TO RESPOND TO MOTION
OF WELLS FARGO BANK, N.A. (I) TO DISQUALIFY RECEIVER,
(II) TO DISQUALIFY WIAND GUERRA KING P.L. AND (III) TO DISALLOW
ALL FEES PAYABLE TO THE RECEIVER AND HIS COUNSEL**

Pursuant to Rule 6(b), Federal Rules of Civil Procedure, and Local Rule 3.01, Burton W. Wiand, as Receiver (the “**Receiver**”), Wiand Guerra King P.L. (“**WGK**”), and the Securities and Exchange Commission (“**SEC**”) respectfully move the Court for a brief extension of time to respond to the Motion Of Wells Fargo Bank, N.A. (“**Wells Fargo**”)

(I) To Disqualify Receiver, (II) To Disqualify Wiand Guerra King P.L. And (III) To Disallow All Fees Payable To The Receiver And His Counsel (Doc. 766) (the “**Motion**”). The Motion was filed on February 29, 2012. At a hearing before the Court on March 2, 2012, the Court set March 9, 2012 as the expedited deadline for the Receiver’s, WGK’s, and the SEC’s response to the Motion.¹ The Receiver, WGK, and the SEC seek a brief three-business-day extension of that deadline to Wednesday, March 14, 2012.²

Given the serious nature of the accusations in the Motion and the very broad relief it seeks, and because of counsel’s other work obligations – some of which relate to this Receivership – the Receiver, WGK, and the SEC need a brief extension of time to prepare and finalize responses. Because the Court granted the Receiver’s claims determination motion as to all claimants except Wells Fargo (and its affiliate TRSTE, Inc.) (*see* Doc. 776), and the Receiver has begun implementing the procedures set forth in that motion, the brief extension will not delay that process in any way and thus will not impact those claimants.

LOCAL RULE 3.01(g) CERTIFICATION OF COUNSEL

The Receiver’s counsel has communicated with counsel for Wells Fargo, and Wells Fargo does not oppose the relief requested in this motion.

¹ Although WGK is not a party to this action, at the hearing the Court gave WGK permission to file a response to the Motion.

² Because the Receiver, WGK, and the SEC would ordinarily have had until March 19, 2012 to file a response to the Motion under the relevant rules (including those governing additional days for mailing and deadlines that fall on weekends), the requested extension still represents an expedited briefing schedule.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on March 7, 2012, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

I **FURTHER CERTIFY** that on March 7, 2012, I will email the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants:

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