

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

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

CASE NO.: 8:09-cv-0087-T-26TBM

Defendants,

SCOOP REAL ESTATE, L.P.,
VALHALLA INVESTMENT PARTNERS, L.P.,
VALHALLA MANAGEMENT, INC.,
VICTORY FUND, LTD,
VIKING IRA FUND, LLC,
VIKING FUND, LLC, AND
VIKING MANAGEMENT, LLC.

Relief Defendants.

**RECEIVER'S OPPOSED MOTION FOR LEAVE TO REPLY TO LIMITED
OBJECTION OF WELLS FARGO BANK, N.A. IN OPPOSITION TO RECEIVER'S
UNOPPOSED MOTION TO (1) APPROVE FIRST INTERIM DISTRIBUTION,
(2) ESTABLISH RESERVES, AND (3) APPROVE REVISIONS TO
CERTAIN CLAIMS DETERMINATIONS**

Burton W. Wiand, as Receiver (the "**Receiver**"), pursuant to Local Rule 3.01(c), seeks leave to file a reply to the Limited Objection of Wells Fargo Bank, N.A. in Opposition to Receiver's Unopposed Motion to (1) Approve First Interim Distribution, (2) Establish Reserves, and (3) Approve Revisions to Certain Claims Determinations ("**Limited Objection**") (Doc. 831) by 5:00 p.m. on May 7, 2012 and not to exceed ten (10) pages.

MEMORANDUM IN SUPPORT

In its Limited Objection, Wells Fargo Bank, N.A. raises issues regarding the reserves established by the Receiver which warrant a response from the Receiver. The Receiver believes that a brief reply to the Limited Objection will assist the Court in the resolution of the matters pending before the Court in connection with the Receiver's Unopposed Motion to (1) Approve First Interim Distribution, (2) Establish Reserves, and (3) Approve Revisions to Certain Claims Determinations. (Doc. 825)

WHEREFORE, the Receiver respectfully requests leave of Court to file a reply to Wells Fargo Bank, N.A.'s Limited Objection, not to exceed ten (10) pages, by 5:00 p.m. on May 7, 2012.

/s/ Jonathan B. Cohen

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Attorney for the Receiver, Burton W. Wiand

LOCAL RULE 3.01(G) CERTIFICATE OF COUNSEL

The undersigned counsel for the Receiver is authorized to represent to the Court that the SEC does not object to the relief sought by the Receiver in this motion, and that Wells Fargo Bank, N.A. does object to the relief sought.

/s/ Jonathan B. Cohen

Attorney for the Receiver, Burton W. Wiand

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 4, 2012, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

/s/ Jonathan B. Cohen

Attorney for the Receiver, Burton W. Wiand