

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

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

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

Defendants,

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

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.

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**[PROPOSED] ORDER**

Pending before the Court is the Receiver's corrected and unopposed motion seeking this Court's entry of an order directing the Receiver and Wells Fargo Bank, N.A. (collectively, the "**Parties**") to mediation of all unresolved matters pending between the Receiver and Wells Fargo within forty-five (45) days of the order, and also directing the attendance of Wells Fargo corporate officers who have authority over the various and relevant autonomous business units and are capable of resolving all pending matters between the Parties. The Securities and Exchange Commission does not oppose the Receiver's motion, nor does Wells Fargo.

Given the fact that the Parties have already spent significant time, money and resources litigating Wells Fargo's purported and unresolved claims to Receivership assets, as well as the

Receiver's pending claims against Wells Fargo for its role in Nadel's Ponzi scheme, the Court agrees with the Receiver that it is in the best interest of the Receiver, Wells Fargo and the defrauded investors to pursue mediation in an effort to resolve all of the remaining issues between the Parties. Thus, the Receiver and Wells Fargo are directed to select an agreed-upon mediator, as well as the date, time and location of the mediation, to occur within forty-five (45) days of the entry of this Order. The Parties are to appear at the mediation personally by counsel and Wells Fargo is further directed to appear by those designated corporate officers who are authorized to represent Wells Fargo's various and relevant autonomous business units and globally resolve all remaining disputes between the Parties. The Receiver is directed to notify the Court of the selected mediator, date, time and location of the mediation upon their determination.

**DONE AND ORDERED** at Tampa, Florida, on May 14, 2012.

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**RICHARD A. LAZZARA**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**  
Counsel of Record