

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No. 8:09-cv-0087-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.

AFFIDAVIT OF CHRISTOPHER D. MOODY

BEFORE ME, the undersigned authority, personally appeared CHRISTOPHER D. MOODY, who after having been duly sworn, deposes and says:

1. I am over the age of 18 and make this declaration on information personally known to me or gathered by others at my request.
2. I began working for Valhalla Management, Inc. (“**Valhalla Management**”) and Viking Management, LLC (“**Viking Management**”) in 2003. Specifically, I was the Vice-President and Treasurer of Valhalla Management and the Co-Managing Member of Viking

Management. Valhalla Management was the General Partner of Valhalla Investment Partners, L.P., and Viking Management was the Managing Member of Viking Fund, LLC and Viking IRA Fund, LLC.

3. Neil Moody was a principal, Director, and President of Valhalla Management and also was a principal, Managing Member, and President of Viking Management.

4. I previously turned over to the Receiver assets owned or controlled by me providing the Receiver with a Power of Attorney over all of my assets to assist the Receiver's efforts to recover assets in connection with this proceeding.

5. Among those assets I turned over to the Receiver is a debt obligation by Respiro, Inc. ("**Respiro**" or the "**Company**"), a corporation organized and doing business under the laws of the State of Florida, formed by my wife, Tamara Moody, Lyle Warner, and Nathan Warner in December 2007.

6. Respiro is headquartered in Sarasota, Florida and doing business in the State.

7. In or around December 2007, I began lending money to Respiro.

8. In the 12 to 14 months that followed, I provided to Respiro a total of Five Hundred Fifty-seven Thousand, Five Hundred and No/100 (\$557,500.00) Dollars in the form of a long term loan.

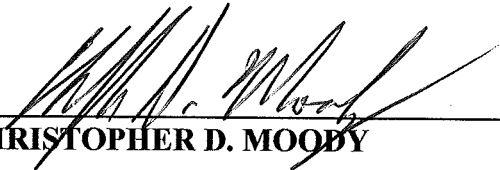
9. All of the monies described herein and provided to the Company were monies obtained by me from (a) entities which are now part of this Receivership and, unbeknownst to me at the time, were used as part of Nadel's scheme underlying this case; or (b) other endeavors funded with money I obtained from such entities.

10. Upon Respiro's formation, Tamara Moody received 90% of its issued and outstanding shares, and Lyle and Nathan Warner each received 5%. Tamara Moody currently

owns 60%, Lyle Warner owns 35%, and Nathan Warner owns 5% of the outstanding shares of the Company.

11. To the best of my knowledge, the \$557,500 that the company received was the majority of its funding.


I declare under penalty of perjury that the foregoing is true and correct and is executed this 5 day of September, 2012.


CHRISTOPHER D. MOODY

STATE OF MISSISSIPPI)
)
COUNTY OF JACKSON)

The foregoing instrument was acknowledged before me this 5 day of September, 2012, by CHRISTOPHER D. MOODY, who is personally known to me or who has produced FL DL as identification.





Notary Public
Printed Name: SUSAN R. WHISENANT
My Commission Expires: 10-1-14