

**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 IRA FUND, LTD,  
VICTORY FUND, LTD,  
VIKING IRA FUND, LLC,  
VIKING FUND, LLC, AND  
VIKING MANAGEMENT, LLC.

Relief Defendants.

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**ORDER**

Upon due consideration of the Receiver’s Motion to Expand the Scope of Receivership to Include Respiro, Inc. and Incorporated Memorandum of Law (the “**Motion**”) (Dkt. 904), the Receiver’s Declaration in support of the Motion (Dkt. 905), and the Affidavit of Christopher D. Moody (Dkt. 906), for the reasons stated in the Motion it is ordered and adjudged that the Motion (Dkt. 904) is **GRANTED**. The scope of the Receivership created in this case is expanded to include Respiro, Inc. (“**Respiro**”), and ownership of all outstanding shares of stock

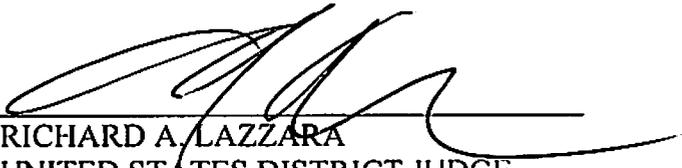
of Respiro is hereby transferred to the Receiver for the benefit of the Receivership estate. Respiro is specifically included within the ambit of the Court's previous orders appointing and reappointing Burton W. Wiand as the Receiver in this case.

**IT IS FURTHER ORDERED** that, upon notice of this Order, Tamara Moody ("Moody"), Lyle Warner ("L. Warner"), Nathan Warner ("N. Warner"), and any other Respiro shareholders shall deliver to the Receiver any and all share certificates in their possession, custody, or control together with fully executed assignments of those share and such other documents as may be requested by the Receiver in order to evidence and memorialize the transfer of said shares.

**IT IS FURTHER ORDERED** that Moody, L. Warner, N. Warner, and all other present or former officers, directors, and employees of Respiro: refrain from any act which harms Respiro's business or business relationships, including but not limited to any act which would interfere with its referral sources, existing customers or prospective customers, or business opportunities and prospects; and

**IT IS FURTHER ORDERED** that Moody, L. Warner, N. Warner, and all other present or former officers, directors, and employees of Respiro take all reasonable steps to preserve Respiro's assets, property, records, or other materials relating to Respiro's business and make same available to the Receiver upon request, and refrain from removing any such items from Respiro's offices or any other location where Respiro maintains or stores any such items.

DONE and ORDERED in chambers in Tampa, Florida this 21 day of September, 2012.



RICHARD A. LAZZARA  
UNITED STATES DISTRICT JUDGE

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Counsel of Record