

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

Relief Defendants.

**PLAINTIFF'S UNOPPOSED MOTION FOR A FORTY-DAY
EXTENSION OF TIME TO CONDUCT CASE MANAGEMENT MEETING**

Plaintiff Securities and Exchange Commission, moves the Court for a forty-day extension of time to allow the parties to conduct the case management meeting required under Local Rule 3.05(c)(2)(B). The parties are required to meet for a case management conference by today, March 23, 2009. On March 6, 2009, the Court denied the Commission's Motion for Clerk's Default against Nadel and reset to April 6 the time for Nadel to respond the Commission's Complaint through counsel or acting *pro se* (D.E. 60). As the Court is also aware, Counsel for Defendant Arthur Nadel just recently made a limited appearance to seek a modification of the

existing freeze of Nadel's assets to continue representing him in this case and a parallel criminal prosecution in the Southern District of New York.

The Court denied the motion to modify the asset freeze, Nadel's counsel have made only a limited appearance, and Nadel is still incarcerated in New York, making Nadel's current representation status unclear. The Commission therefore moves the Court to enter an Order granting a forty-day extension of time or until May 4, 2009, for the parties to conduct the case management meeting. Depending on whether and how Nadel responds, this extension would enable the Commission to determine whom to contact regarding a case management conference and whether any special arrangements are necessary.

Certification of Compliance with Local Rule 3.01(g)

Pursuant to Middle District of Florida Local Rule 3.01(g), undersigned counsel has conferred with counsel for the Court-appointed Receiver and Nadel's counsel, neither of whom opposes this motion.

WHEREFORE for the foregoing reasons, the Commission respectfully requests the Court extend the time for the parties to conduct the case management meeting by forty days, through May 4, 2009.

March 23, 2009

Respectfully submitted,

By: s/ Scott A. Masel
Scott A. Masel
Senior Trial Counsel
Florida Bar No. 0007110
Direct Dial: (305) 982-6398
E-mail: masels@sec.gov
Lead and Trial Counsel

Attorney for Plaintiff

**SECURITIES AND EXCHANGE
COMMISSION**

801 Brickell Avenue, Suite 1800
Miami, Florida 33131
Telephone: (305) 982-6300
Facsimile: (305) 536-4154

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2009, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

Burton W. Wiand, Esq.
Fowler White Boggs, P.A.
501 East Kennedy Blvd., Suite 1700
Tampa, FL 33602
Telephone: (813) 228-7411
Facsimile: (813) 229-8313
Email: bwiaand@fowlerwhite.com
*Court-appointed Receiver for Corporate Defendants
and Relief Defendants*

Carl R. Nelson, Esq.
Fowler White Boggs, P.A.
501 East Kennedy Blvd., Suite 1700
Tampa, FL 33602
Telephone: (813) 228-7411
Facsimile: (813) 229-8313
Email: cnelson@fowlerwhite.com
Counsel for Receiver Burton W. Wiand

Gianluca Morello, Esq.
Fowler White Boggs, P.A.
501 East Kennedy Blvd., Suite 1700
Tampa, FL 33602
Telephone: (813) 228-7411
Facsimile: (813) 229-8313
Email: gianluca.morello@fowlerwhite.com
Co-counsel for Receiver Burton W. Wiand

Ashley Bruce Trehan, Esq.
Fowler White Boggs, P.A.
501 East Kennedy Blvd., Suite 1700
Tampa, FL 33602
Telephone: (813) 228-7411
Facsimile: (813) 229-8313

Email: atrehan@fowlerwhite.com
Co-counsel for Receiver Burton W. Wiand

Maya M. Lockwood, Esq.
Fowler White Boggs, P.A.
501 East Kennedy Blvd., Suite 1700
Tampa, FL 33602
Telephone: (813) 228-7411
Facsimile: (813) 229-8313
Co-counsel for Receiver Burton W. Wiand

Donald R. Kirk, Esq.
Fowler White Boggs, P.A.
501 East Kennedy Blvd., Suite 1700
Tampa, FL 33602
Telephone: (813) 228-7411
Facsimile: (813) 229-8313
Co-counsel for Receiver Burton W. Wiand

Barry A. Cohen, Esq.
Todd A. Foster, Esq.
Michael L. Rubinstein, Esq.
Cohen Jayson & Foster, P.A.
201 E. Kennedy Boulevard, Suite 1000
Tampa, Florida 33602
Telephone: (813) 225-1655
Facsimile: (813) 225-1921
Counsel for Arthur Nadel Pursuant to Notice of Limited Appearance

s/ Scott A. Masel
Scott A. Masel, Esq.