

**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;  
and 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.

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**ORDER**

Pending before the Court for resolution is the Receiver's Motion to Enjoin Court Proceedings in which he seeks an order enjoining Plaintiffs from any further prosecution of their case against Defendants in the case of Formica, et al. v. Rowe, et al., case number 8:11-cv-516-MSS-EAJ (M.D. Fla.). An examination of the case docket reflects that there are two pending motions for summary judgment filed by Defendants against Plaintiffs and that the assigned United States District Judge, the Honorable Mary S. Scriven, rendered an Endorsed Order on February 5, 2013, at docket 134, based on a joint motion

filed by the parties, staying all pretrial deadlines and the trial of the case pending resolution of the pending motions for summary judgment. In light of that fact, and in the interest of preserving client and judicial resources, the Court will defer ruling on the Receiver's motion to enjoin pending the outcome of Judge Scriven's resolution of the motions for summary judgment. If she grants the motions, the Receiver's motion in this case may become moot. **ACCORDINGLY**, ruling on the Receiver's Motion to Enjoin Court Proceedings [Dkt. 979] is **deferred** subject to being reopened after Judge Scriven rules on the motions for summary judgment in her case.<sup>1</sup>

**DONE AND ORDERED** at Tampa, Florida, on March 28, 2013.

*s/Richard A. Lazzara*  
**RICHARD A. LAZZARA**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**  
Counsel of Record

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<sup>1</sup> The Court notes that it followed this same procedure of deferring ruling on a motion until the outcome of related civil proceedings in an order entered January 17, 2013, at docket 955.