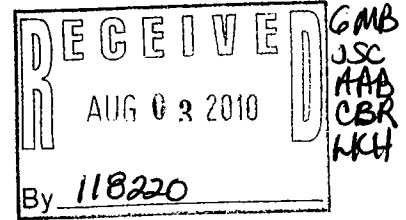


**CIRCUIT COURT OF SARASOTA COUNTY, FLORIDA  
TWELFTH JUDICIAL CIRCUIT**



SCOOP REAL ESTATE, L.P.; )  
VALHALLA INVESTMENT PARTNERS, L.P.; )  
VICTORY IRA FUND, LTD.; )  
VICTORY FUND, LTD.; )  
VIKING IRA FUND, LLC; and )  
VIKING FUND, LLC, through their Court- )  
Appointed Receiver, BURTON WIAND, ESQ., )

Plaintiffs, )

vs. )

HOLLAND & KNIGHT LLP; )  
SCOTT R. MACLEOD; )  
AND JOHN DOE 1-10, )

Defendants )  
/

CASE NO. 2009-CA-014887-NC

**ORDER**

This cause, coming before the Court this 21<sup>st</sup> day of July, 2010, the Court having considered the pleadings, having heard argument of counsel, and otherwise being fully advised in the premises, this Court makes the following rulings regarding the pleadings and applicable law:

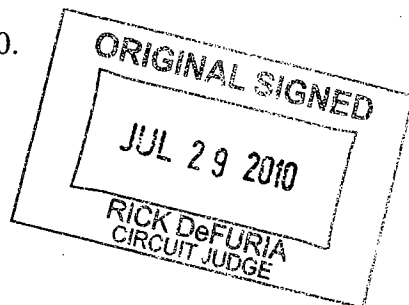
Regarding the Motion to Dismiss, the Court is required to accept the factual allegations in the Complaint as true and to consider those allegations and any inferences to be drawn therefrom in the light most favorable to the Plaintiff – the Receiver acting on behalf of the Funds in this case. The Court may grant a motion to dismiss only when the Defendant demonstrates that the Plaintiff can prove no set of facts in support of his claim which would entitle him to relief. The Court will accept as true all well-pleaded factual allegations and will view them in a light most favorable to the non-moving party.

Accordingly, the Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint is DENIED as to all counts. Defendants are directed to answer Plaintiffs' Second Amended Complaint on or before August 16, 2010.

DONE and ORDERED in Chambers this \_\_\_\_\_ day of July, 2010.

\_\_\_\_\_  
Honorable Rick De Furia  
Circuit Court Judge

Copies furnished to all counsel of record



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