UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

CASE NO. 16-CV-21301-GAYLES

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

ARIEL QUIROS, WILLIAM STENGER, JAY PEAK, INC., Q RESORTS, INC., JAY PEAK HOTEL SUITES L.P., JAY PEAK HOTEL SUITES PHASE II L.P., JAY PEAK MANAGEMENT, INC., JAY PEAK PENTHOUSE SUITES L.P., JAY PEAK GP SERVICES, INC., JAY PEAK GOLF AND MOUNTAIN SUITES L.P., JAY PEAK GP SERVICES GOLF, INC., JAY PEAK LODGE AND TOWNHOUSES L.P., JAY PEAK GP SERVICES LODGE, INC., JAY PEAK HOTEL SUITES STATESIDE L.P., JAY PEAK GP SERVICES STATESIDE, INC., JAY PEAK BIOMEDICAL RESEARCH PARK L.P., AnC BIO VERMONT GP SERVICES, LLC,

Defendants, and

JAY CONSTRUCTION MANAGEMENT, INC., GSI OF DADE COUNTY, INC., NORTH EAST CONTRACT SERVICES, INC., Q BURKE MOUNTAIN RESORT, LLC,

Relief Defendants.	

NOTICE OF APPEAL

Notice is hereby given that León Cosgrove, LLC and Mitchell Silberberg & Knupp LLP hereby appeal to the United States Court of Appeals for the Eleventh Circuit from the entire Order dated April 6, 2017 (Docket No. 310) and the entire Order dated April 11, 2017 (Docket

No. 312).

Dated: May 8, 2017

Respectfully submitted,

By: s/ James R. Bryan_

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Counsel for León Cosgrove, LLC and Mitchell Silberberg & Knupp LLP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this May 8, 2017, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing documents are being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF or in the manner stated in the service list attached.

s/ James R. Bryan
James R. Bryan

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Securities and Exchange Commission v. Ariel Quiros, et al.

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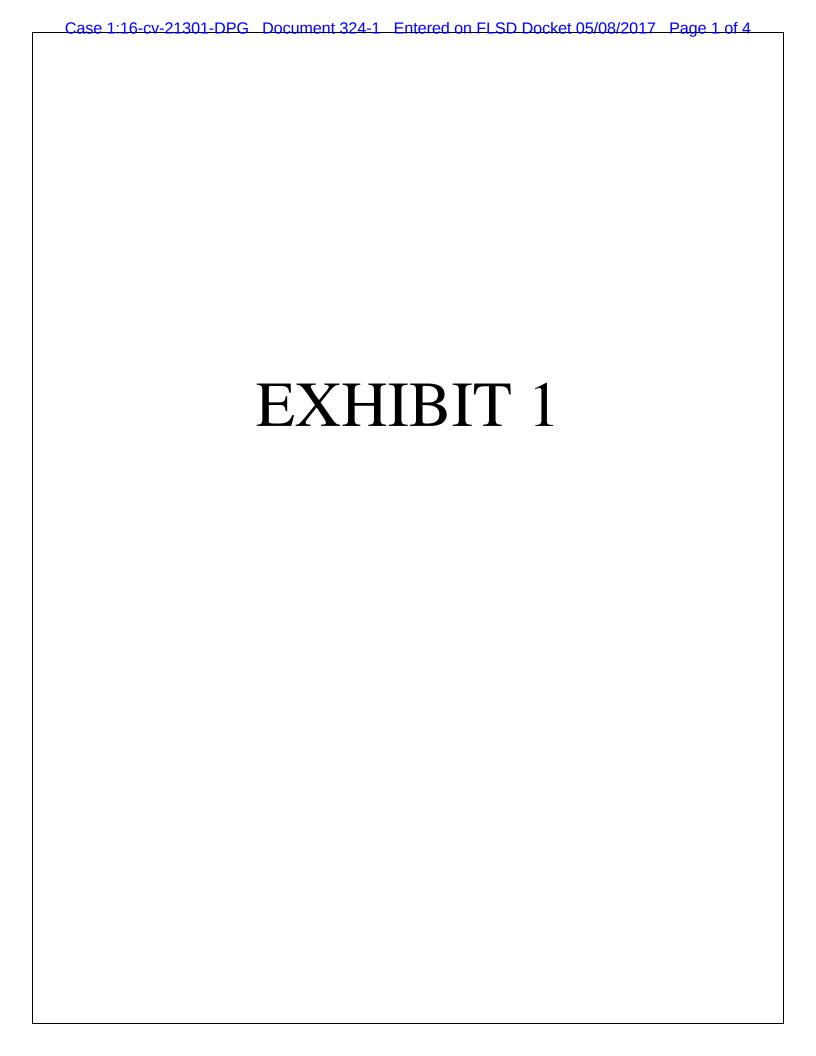
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Subject: Activity in Case 1:16-cv-21301-DPG Securities and Exchange Commission v. Quiros et al

Order on Motion to Intervene

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U.S. District Court

Southern District of Florida

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Case Name: Securities and Exchange Commission v. Quiros et al

Case Number: 1:16-cv-21301-DPG

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Document Number: 310(No document attached)

Docket Text:

ENDORSED ORDER denying [303] Leon Cosgrove, LLC and Mitchell, Silberberg & Knupp's Expedited Motion to Intervene for the Limited Purpose of Addressing the Use of Insurance Proceeds at the April 12, 2017 Hearing. While the Court has provided Defendant Quiros with limited access to some of the insurance proceeds to pay some of his current counsel's fees and costs, Leon Cosgrove, LLC and Mitchell, Silberberg & Knupp are no longer Quiros's counsel or actively involved in this action. The Court does not find it appropriate to resolve a private attorney's fee issue between Quiros and his prior counsel in this action. There will be NO hearing on April 12, 2017. Signed by Judge Darrin P. Gayles (hs01)

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Case 1:16-cv-21301-DPG Document 324-1 Entered on FLSD Docket 05/08/2017 Page 3 of 4

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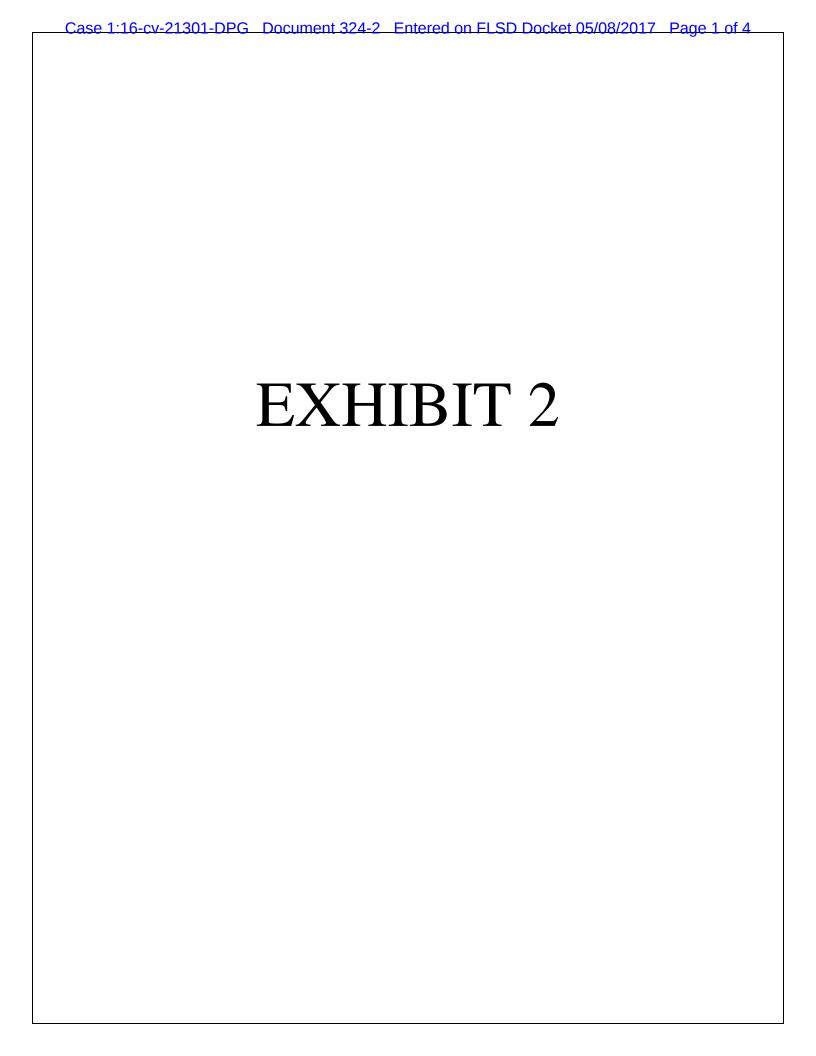
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Order on Motion for Reconsideration

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U.S. District Court

Southern District of Florida

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Case Name: Securities and Exchange Commission v. Quiros et al

Case Number: 1:16-cv-21301-DPG

Filer:

Document Number: 312(No document attached)

Docket Text:

ENDORSED ORDER denying [311] Leon Cosgrove, LLC and Mitchell, Silberberg & Knupp LLP's Motion for Reconsideration Regarding Motion to Intervene for the Limited Purpose of Addressing Scope of Asset Freeze. While this Court has the authority to permit intervention by Leon Cosgrove, LLC and Mitchell, Silberberg & Knupp, LLP, Quiros's former counsel, it is not warranted here for three reasons. First, the insurance proceeds at issue are clearly covered by the broad scope of the Court's asset freeze order. In fact, all parties to this action recognize that as set forth in their Agreed Motion to Modify Asset Freeze Order [DE 300]. Second, there is no need to address the specific scope of the asset freeze until Judge Cooke renders a decision in the separate action to determine whether insurance proceeds may be used to pay Quiros's attorneys' fees. In that action, the insurance company asserts that attorneys' fees are excluded from coverage under the policy. Third, Quiros's former counsel attempts to assert a position on behalf of Quiros which may conflict with Quiros's position and ability to negotiate with the insurance company in the insurance coverage action. In fact, Quiros was able to obtain an agreement to release some of the insurance proceeds at issue and objects to the instant motion to intervene. Accordingly, the Court declines to reconsider its prior ruling. Signed by Judge Darrin P. Gayles (hs01)

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