

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.

Q BURKE MOUNTAIN RESORT, HOTEL
AND CONFERENCE CENTER, L.P.
Q BURKE MOUNTAIN RESORT GP SERVICES, LLC¹
AnC BIO VT, LLC,²

Additional Receivership Defendants

¹See Order Granting Receiver's Motion to Expand Receivership dated April 22, 2016 [ECF No. 60].

²See Order Granting Receiver's Motion for Entry of an Order Clarifying that AnC Bio VT, LLC is included in the Receivership or in the Alternative to Expand the Receivership to include AnC Bio VT, LLC, *Nunc Pro Tunc*, dated September 7, 2018 [ECF No. 493].

**ORDER (A) APPROVING ASSET PURCHASE AGREEMENT;
(B) APPROVING BID PROCEDURES; (C) APPROVING THE
ASSUMPTION AND ASSIGNMENT OF CERTAIN CONTRACTS
AND LEASES; (D) SCHEDULING FINAL HEARING TO CONSIDER
APPROVAL OF SALE (21 DAYS OUT); AND (E) GRANTING RELATED RELIEF**

This matter came before the Court upon the Receiver's Motion for Entry of Order (A) Approving Asset Purchase Agreement; (B) Approving Bid Procedures; (C) Approving the Assumption and Assignment of Certain Contracts and Leases; (D) Scheduling Final Hearing to Consider Approval of Sale (21 Days Out); and (E) Granting Related Relief (the "Motion"). [ECF No. 726]. The Court has reviewed the Motion, been advised that counsel for the Securities and Exchange Commission has no objection to the relief requested in the Motion, and finds that the Receiver has made a sufficient and proper showing in support of the requested relief. Accordingly, it is


ORDERED AND ADJUDGED as follows:

1. The Motion is **GRANTED**.
2. The form of the Asset Purchase Agreement³ is **APPROVED**.
3. The Receiver is hereby **AUTHORIZED** to enter into the Asset Purchase Agreement.
4. The Bid Procedures are likewise **APPROVED**.
5. The assignment of certain executory contracts and unexpired leases identified in the Asset Purchase Agreement on the terms provided for therein is **APPROVED**.
6. The Receiver is further **AUTHORIZED** to sell the Jay Peak Resort pursuant to the terms and conditions of the Asset Purchase Agreement and Bid Procedures.

³ Capitalized terms unless otherwise defined herein shall take on the meaning ascribed to them in the Motion.

7. A final hearing to consider approval of the sale of the Jay Peak Resort is scheduled for August 26, 2022 at 11:00 a.m.

DONE AND ORDERED in Chambers at Miami, Florida, this 4th day of August, 2022.



DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE