

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.

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**ORDER GRANTING RECEIVER'S EMERGENCY MOTION FOR AUTHORIZATION  
TO LOAN FUNDS FROM RECEIVERSHIP AND/OR RELIEF DEFENDANTS TO  
Q BURKE MOUNTAIN RESORT HOTEL AND CONFERENCE CENTER, L.P.**

**THIS MATTER** comes before the Court upon the receiver, Michael I. Goldberg's (the "Receiver") Emergency Motion for Authorization to Loan Funds from Receivership and/or Relief Defendants to Q Burke Mountain Resort, Hotel and Conference Center, L.P. ("Q Burke, L.P.) [D.E. 43];

**WHEREAS**, the Receiver believes it is necessary to loan up to \$750,000.00 from one or more of the Relief Defendants or Receivership Defendants to Q Burke, L.P. in order to preserve and maintain the hotel and resort property held by Q Burke, L.P.;


**WHEREAS**, the Court conducted a telephonic hearing on April 22, 2016, on the Receiver's Emergency Motion, during which counsel for the Plaintiff, Securities and Exchange Commission, counsel for Defendant Ariel Quiros, the Receiver and his counsel presented argument and their clients' respective positions<sup>1</sup>; and

**WHEREAS**, the Court finds that the Receiver has made a sufficient and proper showing in support of the relief requested;

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** as follows:

1. The Motion is **GRANTED**;
2. The Receiver is hereby authorized to loan up to \$750,000.00, at the Receiver's discretion, from the Receivership Defendants and/or the Relief Defendants to Q Burke, L.P., as well as its parents, subsidiaries and affiliates; and
2. This Court shall retain jurisdiction of this matter for all purposes.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 22nd day of April, 2016.

  
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DARRIN P. GAYLES  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Counsel for Defendant William Stenger did not appear at the hearing; however, the Court is advised that counsel for Mr. Stenger has consented, on behalf of his client, to the entry of this Order.