

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, LLC,

Additional Receivership Defendants<sup>1</sup>

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**ORDER GRANTING  
RECEIVER'S MOTION TO BE AUTHORIZED SIGNATORY AND FOR  
ACCESS AND CONTROL OF RECEIVERSHIP ENTITY SUBSIDIARY ACCOUNTS**

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

**THIS MATTER** comes before the Court upon receiver, Michael I. Goldberg's (the "Receiver") Motion to the Authorized Signatory and for Access and Control of Receivership Entity Subsidiary Accounts [D.E. 89] (the "Motion");

**WHEREAS**, the Receiver believes it is necessary for the court to specifically provide signatory authority, access, and control over all accounts of subsidiaries, successors, and assigns of the Receivership Entities (as that term is defined in the Motion), including but not limited to the accounts of Burke 2000, LLC; Burke Mountain Operating Company ("BMOC"); Burke Mountain Water Company; and Mountain Road Management Company (collectively, the "Q Burke Entities");

**WHEREAS**, the Court has been advised that all parties consent to the Motion and the relief requested therein (with Defendant Quiros reserving specific arguments not directly related to the Motion); 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. Michael Goldberg is hereby granted signatory authority, access, and control over all accounts had any bank, brokerage firm, or financial institution that has possession, custody, or control of any assets or funds, wherever situated, of subsidiaries, successors, and assigns of the Receivership Entities including but not limited to the accounts of Burke 2000, LLC; Burke Mountain Operating Company; Burke Mountain Water Company; and Mountain Road Management Company;

3. Other than as set forth herein, the Receivership Order shall remain in full force and effect; and

4. This Court shall retain jurisdiction of this matter for all purposes.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 3rd day of May, 2016.

A handwritten signature in black ink, appearing to read "Darrin P. Gayles", written in a cursive style. The signature is positioned above a horizontal line.

DARRIN P. GAYLES  
UNITED STATES DISTRICT JUDGE