

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 Defendants¹

**ORDER GRANTING RECEIVER'S AGREED AMENDED MOTION FOR
AUTHORIZATION TO LIST SETAI CONDOMINIUM FOR SALE**

¹See Order Granting Receiver's Motion to Expand Receivership dated April 22, 2016 [D.E. 60].

THIS MATTER is before the Court upon the receiver, Michael I. Goldberg's (the "Receiver") Agreed Amended Motion for Authorization to List Setai Condominium for Sale (the "Motion") [D.E. 269]. The Court, having reviewed the Motion, being advised that counsel for the Securities and Exchange Commission and Defendants Ariel Quiros and William Sanger have no objection to the relief requested in the Motion, and finding that the Receiver has made a sufficient and proper showing in support of the relief requested,

IT IS ORDERED, ADJUDGED AND DECREED, as follows:

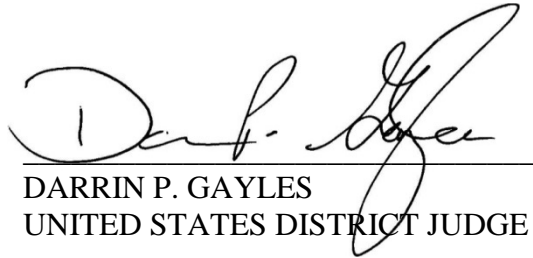
1. The Motion is **GRANTED**.
2. Defendant Ariel Quiros is authorized and directed to list the condominium located at 400 Fifth Avenue, Unit 39F, New York City, New York (the "Condominium") for sale at, to the best of his knowledge, its highest possible value.
3. Quiros shall advise the Receiver of the listing price and if the Receiver disagrees, the parties shall attempt to resolve their differences, or seek further direction from the Court.
4. The Receiver shall have the ability to speak with the real estate broker and receive updates on the broker's actions and progress of the sale.
5. Prior to entering into any contract for the sale of the Condominium, Mr. Quiros shall provide the Receiver with the proposed sale price and identity of the proposed purchaser.
6. Mr. Quiros, in both his individual capacity and as a trustee² shall reasonably cooperate in the sale process (i.e., by authorizing access for showing the condominium or not unreasonably withholding his signature from any required documents necessary to effectuate a

² Quiros and his wife originally purchased the Condominium in on or about December 6, 2011. The Condominium remained in their names until on or about December 10, 2014, when they transferred the Condominium to a trust in which they are co-trustees. A corrective deed was filed on October 4, 2016 with the New York City Department of Finance.

sale) and will further request that Mrs. Quiros, as co-trustee, and the beneficiaries provide all necessary additional signatures to facilitate the closing of the sale of the Condominium.

7. All sale proceeds shall be delivered to the Receiver to hold in trust pending further order of the Court.

DONE AND ORDERED in Chambers at Miami, Florida, this 23rd day of January, 2017.



DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE