

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BURTON W. WIAND,

Plaintiff,

v.

Case No: 8:20-cv-862-T-33TGW

CHRIS ARDUINI, SHELLEY ARDUINI,
SCOTT ARNOLD, TRACY ARNOLD,
OFFER ATTIA, JOHN BACON, STEVEN
BARRIE, MARGARET BARRIE,
SHERRY BARRY, ANN BARTON, TODD
BERRY, BLACK DRAGON CAPITAL,
LLC, LOUIS CARDIELLO, MARIA
CARDIELLO, MICHAEL CHAMBLESS,
LESLEY CHAMBLESS, MARY
CHARUK, RON CLARK, KIM CLARK,
COMMONWEALTH NETWORK
MARKETING CORP, GREGORY
CORCORAN, CRICHLOW COMPUTER
CONCEPTS, KAYLA CROWLEY,
JOSEPH CHARLES, CUSHAUN
CHARLES, THOMAS DAIDONE, ANNE
DAIDONE, BENEDETTO DALIA,
SABRINA DALIA, GREGORY DAVIS,
SILVIA DAVIS, MICHAEL DEYOUNG,
DIVERGENT INVESTMENTS, LLC,
BETSY DOOLIN, MARIANA DUENAS,
PATRICK FLANDER, HENRY
FUKSMAN, ANNA FUKSMAN, ROCCO
GARBELLANO, ROBERT GIAMBOI,
LORETA GIAMBOI, JASON GLADMAN,
ETHEL HALEY, ELMORE RUNEE
HARRIS, ANNE HENNESSEY, CHAD
HICKS, KENJI HIGUCHI, TAMI
HIGUCHI, RICHARD HUBBARD,
COURTNEY HUBBARD, CHARLES
HUCKABEE, TIMOTHY HUNTE, TIM
HUNTE DBA KATT DISTRIBUTION,
JAMES JACKSON, IMPULSE
VENTURES, INC., ALAN JOHNSTON,
BRADLEY KANTOR, CARRIE KANTOR,
KEVIN KERRIGAN, KERRIGAN

MANAGEMENT, INC., BRENDA
KROWN, TAMI LACY, JOSEPH
LEVECCHIA, LYNNE LEVECCHIA,
MATTHEW LEACH, LIFE'S ELEMENTS,
INC., DAVID PAUL LIPINCZYK, LUDA
PIOTR, WAYNE LYNCH, SHAWN
MARSHALL, JOSEPH MARTINI,
JOSEPH MARTINI, JR., KATHRYN
MCCLARE, MARY MCCLARE,
ELIZABETH MCMAHON, JEAN
MONAHAN, STEPHEN MONAHAN,
FRANK NAGEL, NICK PATTERSON,
VINCE PETRALIS, VINCE PETRALIS,
JR., ANTHONY PROCOPIO, JERRY
PUCCIO, JAY RENNER, MICHAEL
RUBEL, MARGARET SIMS, ALLEN
STEINFELD, LOREEN STEINFELD,
FORD SUMER, EDGAR UHLER,
DONNA UHLER, CARMINE VONA,
DAVID WILKERSON, STEFANIA
WOOD and ZHUO XU,

Defendants.

**RELATED CASE ORDER
AND TRACK TWO NOTICE**

It is hereby **ORDERED** that, no later than fourteen days from the date of this Order, counsel and any *pro se* party shall comply with Local Rule 1.04(d), and shall file and serve a certification as to whether the instant action should be designated as a similar or successive case pursuant to Local Rule 1.04(a) or (b). The parties shall utilize the attached form Notice of Pendency of Other Actions.

It is **FURTHER ORDERED** that, in accordance with Local Rule 3.05, this action is designated a **Track Two** case. With the exception of certain types of cases (such as FLSA, ADA, ERISA, TCPA, and FDCPA, in which a separate scheduling order is filed prior to the Case Management Hearing), as soon as a responsive pleading is filed, this case will be set for a Case


Management Hearing. Lead Counsel for all parties will be required to appear in person at the Case Management Hearing. Requests for telephonic appearance at the Case Management Hearing will not be considered absent extraordinary circumstances.

Prior to the Case Management Hearing, Counsel are directed to meet and confer, in person or by telephone, to complete the Court's Case Management Report. The parties shall utilize the Case Management Report form located at the Court's website **www.flmd.uscourts.gov** under "District Judges" and under assigned Judge Virginia M. Hernandez Covington, United States District Judge. Counsel shall bring this completed form to the Case Management Hearing. In addition, two days prior to the Case Management Hearing, Counsel shall file a Notice advising the Court of the parties' recommendations, agreed to or otherwise, concerning the deadlines normally included in the Court's Case Management and Scheduling Order.

At the Case Management Hearing, Counsel should be prepared to familiarize the Court with the facts of the case and the parties' respective positions. Furthermore, Counsel should be prepared to inform the Court of their choice of a mediator and whether they will consent to disposition of the case by the assigned Magistrate Judge.

Please Note: This is a new form that the parties are required to use. Unless otherwise ordered by the Court, a party may not seek discovery from any source before the meeting. Fed. R. Civ. P. 26 (d); Local Rule 3.05(c)(2)(B). *Plaintiff is responsible for serving a copy of this notice and order with attachments upon each party no later than seven days after appearance of the party.*

DONE AND ORDERED at Tampa, Florida, this 28th day of April, 2020.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Attachments:

Notice of Pendency of Other Actions [mandatory form]

Magistrate Judge Consent / Letter to Counsel

Magistrate Judge Consent Form / Entire Case

Magistrate Judge Consent / Specified Motions

Web Case Management Form: www.flmd.uscourts.gov [mandatory form]

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BURTON W. WIAND,

Plaintiff,

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Case No: 8:20-cv-862-T-33TGW

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CONCEPTS, KAYLA CROWLEY,
JOSEPH CHARLES, CUSHAUN
CHARLES, THOMAS DAIDONE, ANNE
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INC., DAVID PAUL LIPINCZYK, LUDA
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MARSHALL, JOSEPH MARTINI,
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VINCE PETRALIS, VINCE PETRALIS,
JR., ANTHONY PROCOPIO, JERRY
PUCCIO, JAY RENNER, MICHAEL
RUBEL, MARGARET SIMS, ALLEN
STEINFELD, LOREEN STEINFELD,
FORD SUMER, EDGAR UHLER,
DONNA UHLER, CARMINE VONA,
DAVID WILKERSON, STEFANIA
WOOD and ZHUO XU,

Defendants.

NOTICE OF PENDENCY OF OTHER ACTIONS

In accordance with Local Rule 1.04(d), I certify that the instant action:

_____ IS related to pending or closed civil or criminal case(s) previously filed in this Court, or any other Federal or State court, or administrative agency as indicated below:

_____ IS NOT related to any pending or closed civil or criminal case filed with this Court, or any other Federal or State court, or administrative agency.

I further certify that I will serve a copy of this NOTICE OF PENDENCY OF OTHER ACTIONS upon each party no later than fourteen days after appearance of the party.

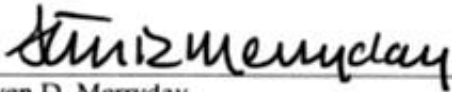
Dated:

Counsel of Record or *Pro Se* Party
[Address and Telephone]

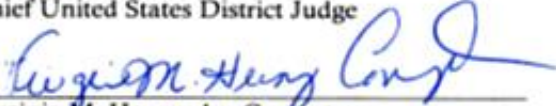
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

With the parties' consent, a district judge under 28 U.S.C. § 636(c) can refer any civil matter to a magistrate judge for any or all proceedings, including the resolution of any motion, a jury or non-jury trial, and entry of final judgment. Although the same law, rules, and procedure govern before both the district judge and the magistrate judge, reference to the magistrate judge often results in an earlier and more reliable trial date (a magistrate judge's trial calendar need not accommodate criminal trials, which are subject to the requirement of constitutional and statutory "speedy trial"). A final judgment entered by the magistrate judge is appealable directly to the United States Court of Appeals.

The parties can formalize consent to the magistrate judge on an AO 85 "Notice, Consent, and Reference of a Civil Action to a Magistrate Judge," a copy of which is attached. Consent requires the signature of each party's counsel and the signature of any unrepresented party. The district judges of the Middle District of Florida request that each party and each counsel carefully consider the benefits to the public, to the court, and to the parties of consent to proceed before the magistrate judge. Of course, consent is entirely voluntary, and — without any adverse substantive consequence — a party for any reason can withhold consent and continue the action before the district judge.



Steven D. Merryday
Chief United States District Judge



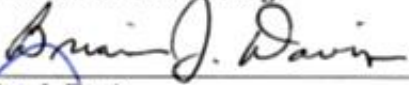
Virginia M. Hernandez Covington
United States District Judge



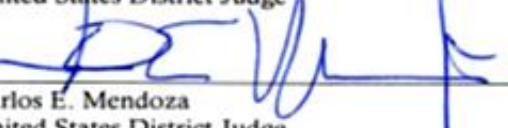
Mary S. Scriven
United States District Judge



Roy B. Dalton, Jr.
United States District Judge



Brian J. Davis
United States District Judge



Carlos E. Mendoza
United States District Judge



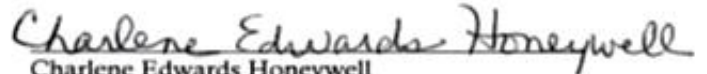
Thomas P. Barber
United States District Judge




Timothy J. Corrigan
United States District Judge



Marcia Morales Howard
United States District Judge



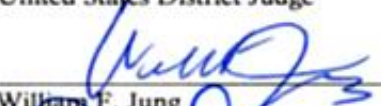
Charlene Edwards Honeywell
United States District Judge



Sheri Polster Chappell
United States District Judge



Paul G. Byron
United States District Judge



William F. Jung
United States District Judge



Wendy W. Berger
United States District Judge

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BURTON W. WIAND, as Receiver for
Oasis International Group, Ltd.; Oasis
Management, LLC; and Satellite Holdings
Company,

Plaintiff,

v.

Case No: 8:20-cv-862-T-33TGW

CHRIS ARDUINI, SHELLEY ARDUINI,
SCOTT ARNOLD, TRACY ARNOLD,
OFFER ATTIA, JOHN BACON, STEVEN
BARRIE, MARGARET BARRIE, SHERRY
BARRY, ANN BARTON, TODD BERRY,
BLACK DRAGON CAPITAL, LLC, a New
Limited Liability Company, LOUIS
CARDIELLO, MARIA CARDIELLO,
MICHAEL CHAMBLESS, LESLEY
CHAMBLESS, MARY CHARUK, RON
CLARK, KIM CLARK, COMMONWEALTH
NETWORK MARKETING CORP,
GREGORY CORCORAN, CRICHLLOW
COMPUTER CONCEPTS, KAYLA
CROWLEY, JOSEPH CHARLES,
CUSHAUN CHARLES, THOMAS
DAIDONE, ANNE DAIDONE,
BENEDETTO DALIA, SABRINA DALIA,
GREGORY DAVIS, SILVIA DAVIS,
MICHAEL DEYOUNG, DIVERGENT
INVESTMENTS, LLC, BETSY DOOLIN,
MARIANA DUENAS, PATRICK
FLANDER, HENRY FUKSMAN, ANNA
FUKSMAN, ROCCO GARBELLANO,
ROBERT GIAMBOI, LORETA GIAMBOI,
JASON GLADMAN, ETHEL HALEY,
ELMORE RUNEE HARRIS, ANNE
HENNESSEY, CHAD HICKS, KENJI
HIGUCHI, TAMI HIGUCHI, RICHARD
HUBBARD, COURTNEY HUBBARD,
CHARLES HUCKABEE, TIMOTHY
HUNTE, TIM HUNTE DBA KATT
DISTRIBUTION, JAMES JACKSON,

IMPULSE VENTURES, INC., ALAN
 JOHNSTON, BRADLEY KANTOR,
 CARRIE KANTOR, KEVIN KERRIGAN,
 KERRIGAN MANAGEMENT, INC.,
 BRENDA KROWN, TAMI LACY, JOSEPH
 LEVECCHIA, LYNNE LEVECCHIA,
 MATTHEW LEACH, LIFE'S ELEMENTS,
 INC., DAVID PAUL LIPINCZYK, LUDA
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 RUBEL, MARGARET SIMS, ALLEN
 STEINFELD, LOREEN STEINFELD,
 FORD SUMER, EDGAR UHLER, DONNA
 UHLER, CARMINE VONA, DAVID
 WILKERSON, STEFANIA WOOD, and
 ZHUO XU,

Defendants.

NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case,

Consent to a magistrate judge's authority. The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

Printed names of parties and attorneys

Signatures of parties or attorneys

Dates

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

REFERENCE ORDER

IT IS **ORDERED** that this case be referred to a UNITED STATES MAGISTRATE JUDGE for all further proceedings and order the entry of a final judgment in accordance with 28 U.S.C. 636(c), Fed. R. Civ. P. 73.

DATE
COVINGTON

VIRGINIA M. HERNANDEZ
UNITED STATES DISTRICT JUDGE

NOTE: RETURN THIS FORM TO THE CLERK OF COURT ONLY IF YOU ARE CONSENTING TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE. DO NOT RETURN THIS FORM TO A JUDGE.

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BURTON W. WIAND, as Receiver for Oasis
International Group, Ltd.; Oasis Management, LLC; and
Satellite Holdings Company,

Plaintiff,

v.

Case No: 8:20-cv-862-T-33TGW

CHRIS ARDUINI, SHELLEY ARDUINI, SCOTT
ARNOLD, TRACY ARNOLD, OFFER ATTIA, JOHN
BACON, STEVEN BARRIE, MARGARET BARRIE,
SHERRY BARRY, ANN BARTON, TODD BERRY,
BLACK DRAGON CAPITAL, LLC, a New Limited
Liability Company, LOUIS CARDIELLO, MARIA
CARDIELLO, MICHAEL CHAMBLESS, LESLEY
CHAMBLESS, MARY CHARUK, RON CLARK, KIM
CLARK, COMMONWEALTH NETWORK MARKETING
CORP, GREGORY CORCORAN, CRICHLOW
COMPUTER CONCEPTS, KAYLA CROWLEY,
JOSEPH CHARLES, CUSHAUN CHARLES, THOMAS
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SABRINA DALIA, GREGORY DAVIS, SILVIA DAVIS,
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RENNER, MICHAEL RUBEL, MARGARET SIMS,
ALLEN STEINFELD, LOREEN STEINFELD, FORD
SUMER, EDGAR UHLER, DONNA UHLER, CARMINE

VONA, DAVID WILKERSON, STEFANIA WOOD, and
ZHUO XU,

Defendants.

NOTICE, CONSENT, AND REFERENCE OF A DISPOSITIVE MOTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings and enter a final order dispositive of each motion. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have motions referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's consideration of a dispositive motion. The following parties consent to have a United States magistrate judge conduct any and all proceedings and enter a final order as to each motion identified below (*identify each motion by document number and title*).

MOTION(S)

Printed names of parties and attorneys

Signature of parties or attorneys

Date

REFERENCE ORDER

IT IS ORDERED: The motions are referred to the United States magistrate judge to conduct all proceedings and enter a final order on the motions identified above in accordance with 28 U.S.C. ' 636(c).

Date

VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

NOTE: RETURN THIS FORM TO THE CLERK OF COURT **ONLY IF** YOU ARE CONSENTING TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE. DO NOT RETURN THIS FORM TO A JUDGE.