## 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-00862-VMC-TGW

CHRIS AND SHELLEY ARDUINI, et al.,

Defendants.

# PLAINTIFF'S MOTION FOR ENTRY OF CLERK'S DEFAULT AGAINST DEFENDANT JAY RENNER

Plaintiff, BURTON W. WIAND, as Receiver for OASIS INTERNATIONAL GROUP,

LTD.; OASIS MANAGEMENT, LLC; AND SATELLITE HOLDINGS COMPANY ("*Plaintiff*"), through undersigned counsel and pursuant to Fed. R. Civ. P. 55(a), moves the Clerk of Court to enter a default against Defendant, JAY RENNER ("*Renner*"), for failure to plead or otherwise defend, and states:

1. On April 14, 2020, Plaintiff filed his Complaint against Renner (Doc. 1).

2. On July 3, 2020, Plaintiff served Renner with the summons and complaint. See

Affidavit of Service filed on July 10, 2020 (Doc. 192), attached hereto as Exhibit "A."

3. As of the date of this filing, Renner has not filed a responsive pleading or otherwise defended this action.

# **ENGLANDER FISCHER**

A T T O R N E Y S 721 First Avenue North • St. Petersburg, Florida 33701 Phone (727) 898-7210 • Fax (727) 898-7218 eflegal.com Case 8:20-cv-00862-VMC-TGW Document 282 Filed 07/28/20 Page 2 of 5 PageID 925

#### WHEREFORE, Plaintiff moves the Clerk of Court for entry of a Clerk's Default against

Renner.

July 28, 2020.

Respectfully submitted,

#### ENGLANDER FISCHER

/s/ Beatriz McConnell JOHN W. WAECHTER Florida Bar No. 47151 Primary: jwaechter@eflegal.com Secondary: dturner@eflegal.com COURTNEY L. FERNALD Florida Bar No. 52669 Florida Bar Certified, Appellate Practice Primary: cfernald@eflegal.com Secondary: tdillon@eflegal.com BEATRIZ MCCONNELL Florida Bar No. 42119 Primary: bmcconnell@eflegal.com Secondary: tdillon@eflegal.com ALICIA GANGI Florida Bar No. 1002753 Primary: agangi@eflegal.com Secondary: tdillon@eflegal.com **ENGLANDER and FISCHER LLP** 721 First Avenue North St. Petersburg, Florida 33731-1954 (727) 898-7210 / Fax (727) 898-7218 Attorneys for Plaintiff

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this day I electronically filed the foregoing with the Clerk

of the Court by using the CM/ECF system and served a copy by U.S. Mail to Jay Renner, 2200

Coutler Brook Road, Bovina Center, NY 13740.

<u>/s/ Beatriz McConnell</u> BEATRIZ MCCONNELL

#### **AFFIDAVIT OF SERVICE**

UNITED STATES DISTRICT COURT District of Florida

Case Number: 8:20-CV-00862-VMC-TGW

Plaintiff: BURTON W. WIAND, as Receiver for OASIS INTERNATIONAL GROUP, LTD.; OASIS MANAGEMENT, LLC; AND SATELLITE HOLDINGS COMPANY,

vs.

Defendant: CHRIS AND SHELLEY ARDUINI, et al.,

For: Beatriz McConell ENGLANDER FISCHER 721 1ST AVE NO ST PETERSBURG, FL 33701

Received by RICHARD CECCE on the 26th day of June, 2020 at 11:06 am to be served on **Jay Renner**, **2200 Coutler Brook Road, Bovina Center, NY 13740**.

I, RICHARD CECCE, being duly sworn, depose and say that on the 3rd day of July, 2020 at 6:40 pm, I:

SUBSTITUTE served by delivering a true copy of the SUMMONS IN A CIVIL ACTION, COMPLAINT, CIVIL COVER SHEET and EXHIBITS A-D (SERVED EXHIBITS VIA CD) with the date and hour of service endorsed thereon by me, to: Joe Lumbrazo as Co-Tenant at the address of: 2200 Coutler Brook Road, Bovina Center, NY 13740, the within named person's usual place of Abode, who resides therein, who is fifteen (15) years of age or older and informed said person of the contents therein, in compliance with state statutes .I further certify that I placed the time, date of service, my initials, and my Server ID # (If applies) on the Summons and/or Subpoena when served.

**Military Status:** Based upon inquiry of party served, Defendant is not in the military service of the United States of America.

Marital Status: Based upon inquiry of party served, Defendant is not married.

**Description** of Person Served: Age: 62, Sex: m, Race/Skin Color: white, Height: 6'1, Weight: 280, Hair: brown, Glasses: y



## AFFIDAVIT OF SERVICE For 8:20-CV-00862-VMC-TGW

I certify that I am over the age of 18, have no interest in the above action. Under penalties of perjury, I declare I have read the foregoing document and the facts stated are true. NO NOTARY REQUIRED PURSUANT TO F.S. 92.525(2).

Subscribed and Sworn to before me on the <u>6</u> day of <u>Jucy</u>, <u>2020</u> by the affiant who is personally known to me.

LL NOTARY PUBLIC

SARA CECCE NOTARY PUBLIC-STATE OF NEW YORK No. 01CE6330110 Qualified in Delaware County

RICHARD CECCE Process Server

TRGT LEGAL P.O. BOX 1066 PINELLAS PARK, FL 33781 (888) 642-0130

Our Job Serial Number: RCG-2020005077 Ref: 2450

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AO 440 (Rev. 06/12) Summons in a Civil Action

Ior the Middle District of Florida	DATE: 07/03/2020 TIME: 6:40 PM MINDOLS //
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To: (Defendant's name and address) Jay Renner 2200 Coulter Brook Road Bovina Center, NY 13740

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Beatriz McConnell Englander Fischer 721 First Avenue North St. Petersburg, FL 33701

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



Date:

06/11/2020