

From: cmecf_flmd_notification@flmd.uscourts.gov
To: cmecf_flmd_notices@flmd.uscourts.gov
Subject: Activity in Case 8:20-cv-00862-VMC-TGW Wiand v. Arduini et al Order on Motion to Quash
Date: Monday, August 17, 2020 4:45:22 PM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Middle District of Florida

Notice of Electronic Filing

The following transaction was entered on 8/17/2020 at 4:44 PM EDT and filed on 8/17/2020

Case Name: Wiand v. Arduini et al

Case Number: [8:20-cv-00862-VMC-TGW](#)

Filer:

Document Number: 344(No document attached)

Docket Text:

ORAL ORDER denying [234] Motion to Quash; denying [235] Motion for Joinder; denying [236] Motion to Quash; denying [237] Motion for Joinder; denying [238] Motion to Quash; denying [239] Motion to Quash; denying [240] Motion for Joinder; denying [241] Motion to Quash; denying [242] Motion to Quash; denying [258] Motion to Quash; denying [260] Motion for Joinder; denying [261] Motion for Joinder; denying [335] Motion to Quash; denying [340] Motion. For the reasons explained at the August 17, 2020, status conference and as set forth in the Receiver's omnibus response, the Court finds that the Receiver has complied with the requirements of 28 U.S.C. § 754 and 28 U.S.C. § 1692. Therefore, this Court has personal jurisdiction over the Defendants and the Receiver properly effected service of process on those Defendants. See Newman v. William L. Gunlicks Irrevocable Tr., 897 F. Supp. 2d 1270, 1274 (M.D. Fla. 2012) (explaining two-step process for obtaining personal jurisdiction in similar cases and stating that although Section 754 and 1692 "speak solely to jurisdiction over property... the interplay between [Federal Rule of Civil Procedure] 4(k) and [Sections 754 and 1692] provides in personam jurisdiction"); see also S.E.C. v. Nadel, No. 8:09-CV-87-T-26TBM, 2013 WL 2291871, at *1 n.14 (M.D. Fla. May 24, 2013) ("When obtaining personal jurisdiction is required, 28 U.S.C. § 1692 in conjunction with § 754 and Federal Rule of Civil Procedure 4(k)(1)(C) provide the means of effectuating service nationwide."). Accordingly, the Defendants who filed those motions - Chris and

Shelley Arduini, Ann Barton, Patrick Flander, Henry and Anna Fuksman, Chad Hicks, Richard and Courtney Hubbard, Alan Johnston, Kevin Kerrigan, David Lipinczyk, Frank Nagel, Vince Petralis, and Vince Petralis, Jr. - are directed to file an answer to the complaint by September 16, 2020, or they will be subject to entry of default. Signed by Judge Virginia M. Hernandez Covington on 8/17/2020. (SGM)

8:20-cv-00862-VMC-TGW Notice has been electronically mailed to:

Frederick Stewart Schriels frederick.schriels@gray-robinson.com, angela.calderon@gray-robinson.com, josef.rosen@gray-robinson.com

William Keith Fendrick keith.fendrick@hklaw.com, andrea.olson@hklaw.com

Christopher J. Whitelock cjlw@whitelocklegal.com, adit@whitelocklegal.com, ark@whitelocklegal.com

Carlos E. Sardi carlos@sardilaw.com

John W. Waechter jwaechter@eflegal.com, dturner@eflegal.com

Courtney Fernald cfernald@eflegal.com, tdillon@eflegal.com

Beatriz McConnell bmccConnell@eflegal.com, creeder@eflegal.com, tdillon@eflegal.com

Lawrence Joseph Dougherty ldougherty@wiandlaw.com, abaker@wiandlaw.com

Jared J. Perez jperez@wiandlaw.com, awilson@wiandlaw.com, bwiand@wiandlaw.com

Alicia Gangi agangi@eflegal.com, afrederick@eflegal.com, tdillon@eflegal.com

8:20-cv-00862-VMC-TGW Notice has been delivered by other means to:

Black Dragon Capital, LLC
c/o Michael Obay
450 Leverett Avenue
Staten Island, NY 10308

Kerrigan Management, Inc.
c/o Kevin Kerrigan
14 Fieldstone Road
Putnam Valley, NY 10579

Life's Elements, Inc.
c/o Kevin Johnson
810 Long Island Avenue
Medford, NY 11763

Alan Johnston

2020 Holly Leaf Drive
Tyler, TX 75703

Ann Barton
C/O The Country Postman
2517 RT44 #11
Salt Point
NY, US 12578

Anna Fuksman
862 Fassett Road
Elmira, NY 14905

Betsy Doolin
6662 La Mirada Drive East, Unit 2
Jacksonville, FL 32217

Chad Hicks
3210 Vermont Road
Carterville, IL 62918

Chris Arduini
169 Allen Height Road
St Johnsville, NY 13452

Courtney Hubbard
412 Woodbury Drive
Wyckoff, NJ 07481

David Paul Lipinczyk
6336 Redman Road
Brockport, NY 14420

Elmore Runee Harris
5 Whitney Drive
Greenwich, CT 06831

Frank Nagel
10 Kyle Park
Carmel, NY 10512

Henry Fuksman
862 Fassett Road
Elmira, NY 14905

Kevin Kerrigan
14 Fieldstone Road
Putnam Valley, NY 10579

Offer Attia

217 Forest Ave
New Rochelle, NY 10804

Patrick Flander
1096 Youkers Bush Road
Saint Johnsville, NY 13452

Richard Hubbard
412 Woodbury Drive
Wyckoff, NJ 07481

Shelley Arduini
169 Allen Height Road
Saint Johnsville, NY 13452

Timothy Hunte
2155 Rainlily Drive
Center Valley, PA 18034

Vince Petralis
6 Adeane Drive West
Rochester, NY 14624

Vince Petralis, Jr.
5162 W Ridge Blvd
Spencerport, NY 14559