

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

2020 AUG 31 PM 12: 52

CLERK, US DISTRICT COURT
MIDDLE DISTRICT FLORIDA
TAMPA, FLORIDA

CASE No: 20-00862-VMC-TGW

BURTON W. WIAND, AS RECEIVER FOR)
OASIS INTERNATIONAL GROUP, LTD.,)
OASIS MANAGEMENT, LLC; AND)
SATELLITE HOLDING COMPANY,)
PLAINTIFF,)
V.)
CHRIS AND SHELLEY ARDUINI, ET. AL.,)
DEFENDANTS.)
_____)

NOTICE OF JOINDER

To

**“BY SPECIAL APPEARANCE:
DEFENDANTS’ NOTICE OF FILING SUPPLEMENTAL EVIDENCE IN
SUPPORT OF MOTION BY SPECIAL APPEARANCE TO QUASH SUMMONS
AND OBJECT TO JURISDICTION”**

1. CHRIS AND SHELLEY ARDUINI, Husband and Wife and Defendants pro per, joins Alan Johnston’s “NOTICE OF FILING SUPPLEMENTAL EVIDENCE IN SUPPORT OF MOTION BY SPECIAL APPEARANCE TO QUASH SUMMONS AND OBJECT TO JURISDICTION” (“Notice”) for the same reasons to which Mr. Johnston’s Notice refers:
2. Defendants are pro per and are not represented by Mr. Winters. See Exhibit B, Mr. Johnston’s Notice.
3. Defendants are not raising a new argument but are filing evidence that was not available to them at the time they filed their Motion to Quash Summons and Objection to Jurisdiction.

However, this Court has held that where a party's notice of filing supplemental authority does not raise a new argument, but "merely provides a recent case in support of the arguments already raised [in a] motion[,]" then it does not fall within the requirements of Rule 3.01(c). *Wuenstel v. Liberty Mut. Fire Ins. Co.*, Case No: 5:12-CV-422-Oc-10PRL, at *1 (M.D. Fla. Feb. 5, 2013)

[Such] supplemental filings should direct the Court's attention to legal authority or **evidence** that was not available to the filing party at the time that that party filed the original brief to which the subsequent supplemental filing pertains. (emphasis added).

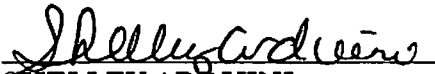
Girard v. Aztec RV Resort, Inc., No. 10-62298-CIV-ZLOCH/ROSENBAUM, at *4 (S.D. Fla. Sep. 16, 2011).

4. Englander-Fischer has known since at least Friday, July 31, 2020 NOT to contact Mr. Winters on behalf of Defendants because Mr. Winters does not represent Defendants in this case.
5. In two filings: (1) Motion for Extension of Time to Respond and (2) Omnibus Response to Motion to Quash Summons, Englander-Fischer refers to Defendants as pro se over 90 times admitting that Defendants are not represented by an attorney.
6. Englander-Fischer did not inform the Court that they knew Mr. Winters does not represent Defendants.

WHEREFORE, Defendants respectfully request that this Court consider the Supplemental Evidence provided when taking Defendants' *Motion by Special Appearance to Quash Summons and Object to Jurisdiction* into consideration.

Respectfully Submitted,


CHRIS ARDUINI Date 8-26-2020

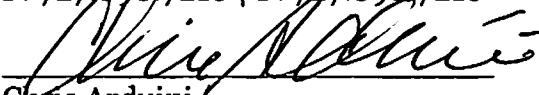

SHELLEY ARDUINI Date 8-26-2020

P.O. Box 211
Johnsville, New York 13452

CERTIFICATE OF SERVICE

I certify that I filed a copy of the foregoing document with the Clerk of the Federal District Court of Middle Florida, Tampa Division, and sent a copy to:

Englander Fischer
Att: Beatriz McConnell bmcconnell@eflegal.com
721 First Avenue North
St. Petersburg, Florida 33701
P: 727.898.7210 | F: 727.898.7218


Chris Arduini

Date: 8-26-2020

Christa Shelley Adunai
P.O. Box 211
St Johnsville FL 34452

Sam M Carbons United States Courthouse
Attn Clerk of the Court
801 North Florida Avenue
Tampa Florida 33602

CHRIS & SHELLEY ARDUINI
5183326537
CHRIS & SHELLEY ARDUINI
169 ALLEN HEIGHTS RD
SAINT JOHNSVILLE NY 13452

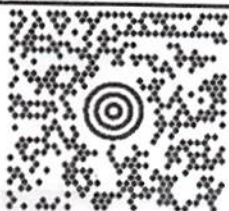
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