

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 PATRICK FLANDER**

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, PATRICK FLANDER ("***Flander***"), for failure to plead or otherwise defend, and states:

1. On April 14, 2020, Plaintiff filed his Complaint against Flander (Doc. 1).
2. On July 6, 2020, Plaintiff served Flander with the summons and complaint. See Affidavit of Service filed on July 16, 2020 (Doc. 210), attached hereto as **Exhibit "A."**
3. Flander filed a Motion for Joinder to Motion to Quash on July 20, 2020 (Doc. 237) which was denied by Oral Order on August 17, 2020 that directed Flander to file an answer to the Complaint by September 16, 2020 or be subject to entry of default (Doc. 344).
4. As of the date of this filing, Flander has not filed a responsive pleading or

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otherwise defended this action.

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

September 17, 2020.

Respectfully submitted,

ENGLANDER FISCHER

/s/ John W. Waechter

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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 Patrick Flander, 1096 Youkers Bush Road, Saint Johnsville, NY 13452.

/s/ John W. Waechter

Attorney for Plaintiff

FULTON COUNTY SHERIFF'S OFFICE

Affidavit of Personal Service
File No.: 20000494

STATE OF FLORIDA

BURTON W WIAND, et al

Plaintiff

-against-

CHRIS AND SHELLEY ARDUINI, et al

Defendant

Person to be served: PATRICK FLANDER

AFFIDAVIT OF SERVICE OF Summons in a Divil Action, Complaint, Civil Cover Sheet and Exhibits A-D

STATE OF NEW YORK:

: SS.:

COUNTY OF FULTON :

Gina Brand, Civil Clerk, being duly sworn, deposes and says that she served the Summons in a Civil Action, Complaint, Civil Cover Sheet and Exhibits A-D in the above titled action upon the defendant, PATRICK FLANDER, on 7/6/2020 at about 10:56 AM at the Fulton County Sheriff's Office, 2712 St Hwy 29, Johnstown, NY 12095 by delivering to and leaving with defendant, personally, a true copy thereof, and deponent further says that she knew person so served to be the same person mentioned and described in the said document as defendant therein, and that at the time of making such service, deponent was over eighteen years of age and not a party to this action. That she asked defendant whether defendant was in the military service of the United States Government in any capacity whatever and defendant replied he was not. Defendant was clad in ordinary civilian clothes and wore no military uniform of any kind.

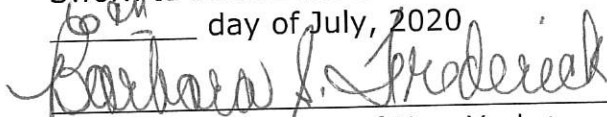
Deponent further states that she describes the person actually served as follows:

Sex	Race	Hair	Age (approx)	Height (approx)	Weight (approx)
Male	White	Blonde	42	5'6"	160

Other identifying features:


Gina Brand

Sworn to before me this
10th day of July, 2020


Notary Public, State of New York
My Commission Expires 05/31/22

Barbara S Frederick
Notary Public Lic#4809433
State of NY County of Fulton
My Commission Expires 05/31/22

Exhibit "A"

20-5058