

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 DEFENDANTS HENRY FUKSMAN AND ANNA FUKSMAN**

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 Defendants, HENRY FUKSMAN and ANNA FUKSMAN (collectively, the “*Fuksmans*”), for failure to plead or otherwise defend, and states:

1. On April 14, 2020, Plaintiff filed his Complaint against the Fuksmans (Doc. 1).
2. On July 2, 2020, Plaintiff served the Fuksmans with the summons and complaint. See Affidavits of Service filed on July 16, 2020 (Doc. 208 and 209), attached hereto as **Composite Exhibit “A.”**

3. The Fuksmans filed a joint Motion for Joinder to David Lipinczyk's Motion to Quash Summons and Object to Jurisdiction on July 23, 2020 (Doc. 260) which was denied by Oral Order on August 17, 2020 that directed the Fuksmans to file an answer to the Complaint by

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

September 16, 2020 or be subject to entry of default (Doc. 344).

4. As of the date of this filing, the Fuksmans have not filed a responsive pleading or otherwise defended this action.

WHEREFORE, Plaintiff moves the Clerk of Court for entry of a Clerk's Default against Henry Fuksman and Anna Fuksman.

September 21, 2020.

Respectfully submitted,
ENGLANDER FISCHER

/s/ John W. Waechter
JOHN W. WAECHTER
Florida Bar No. 47151
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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 Henry Fuksman and Anna Fuksman, 862 Fassett Road, Elmira, NY 14905.

/s/ John W. Waechter
Attorney for Plaintiff

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 STEPHEN SCHOCH on the 25th day of June, 2020 at 1:18 pm to be served on **Anna Fuksman, 862 Fassett Road, Elmira, NY 14905.**

I, STEPHEN SCHOCH, being duly sworn, depose and say that on the **2nd day of July, 2020 at 7:52 pm, I:**

INDIVIDUALLY/PERSONALLY served Anna Fuksman 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: **Anna Fuksman** at the address of: **862 Fassett Road, Elmira, NY 14905**, 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 married.

Description of Person Served: Age: 60, Sex: f, Race/Skin Color: white, Height: 5'5, Weight: 170, Hair: Gray, Glasses: y

Composite Exhibit "A"



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.

Subscribed and Sworn to before me on the 9
day of July, 2020 by the affiant
who is personally known to me.


NOTARY PUBLIC


STEPHEN SCHOCH

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

Our Job Serial Number: RCG-2020005054
Ref: 2450

RITA M HOOVER
Notary Public, State of New York
No. 01HO6069614
Qualified in Steuben County
Commission Expires March 11, 2022

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

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

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

Plaintiff(s)

v.

CHRIS AND SHELLEY ARDUINI, et al.

Defendant(s)

Civil Action No. 8:20-cv-00862-VMC-TGW

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Anna Fuksman
862 Fassett Road
Elmira, NY 14905

A lawsuit has been filed against you.

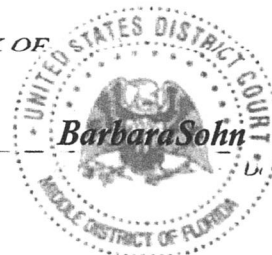
Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the 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 or 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: 06/10/2020

CLERK OF



Barbara Sohn

Deputy Clerk

Stephen M. Shovel

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 STEPHEN SCHOCH on the 25th day of June, 2020 at 1:18 pm to be served on **Henry
Fuksman, 862 Fassett Road, Elmira, NY 14905.**

I, STEPHEN SCHOCH, being duly sworn, depose and say that on the **2nd day of July, 2020 at 7:52 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: **Anna Fuksman as Wife -Coteant** at the address of: **862 Fassett
Road, Elmira, NY 14905**, 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 married.

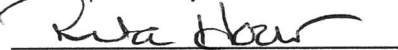
Description of Person Served: Age: 60, Sex: f, Race/Skin Color: white, Height: 5'5, Weight: 170, Hair: gray,
Glasses: y




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 9
day of July, 2020 by the affiant
who is personally known to me.



NOTARY PUBLIC



STEPHEN SCHOCH

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

Our Job Serial Number: RCG-2020005055
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RITA M HOOVER
Notary Public, State of New York
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Commission Expires March 11, 2022

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

UNITED STATES DISTRICT COURT

for the
Middle District of Florida

Date: 7/2/2020

Time: 7:52 pm

Initials: BS

ID#: _____

BURTON W. WIAND, as Receiver for
OASIS INTERNATIONAL GROUP, LTD.;
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Plaintiff(s)

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CHRIS AND SHELLEY ARDUINI. et al.

Defendant(s)

Civil Action No. 8:20-cv-00862-VMC-TGW

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Henry Fuksman
862 Fassett Road
Elmira, NY 14905

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 or 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: 06/10/2020

CLERK OF COURT



Barbara Sohn

Deputy Clerk