

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.

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**PLAINTIFF'S MOTION FOR ENTRY OF CLERK'S DEFAULT AGAINST  
DEFENDANT FRANK NAGEL**

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, FRANK NAGEL ("*Nagel*"), for failure to plead or otherwise defend, and states:

1. On April 14, 2020, Plaintiff filed his Complaint against Nagel (Doc. 1).
2. On July 1, 2020, Plaintiff served Nagel with the summons and complaint. See Affidavit of Service filed on July 16, 2020 (Doc. 206), attached hereto as **Exhibit "A."**
3. Nagel filed a Motion to Quash on July 21, 2020 (Doc. 238) which was denied by Oral Order on August 17, 2020 that directed Nagel 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, Nagel has not filed a responsive pleading or otherwise

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defended this action.

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

September 23, 2020.

Respectfully submitted,

ENGLANDER FISCHER

/s/ John W. Waechter

JOHN W. WAECHTER

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(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 Frank Nagel, 10 Kyle Park, Carmel, NY 10512.

/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 Andrew Cohen on the 25th day of June, 2020 at 1:18 pm to be served on **Frank Nagel, 10  
Kyle Court, Carmel, NY 10512.**

I, Andrew Cohen, being duly sworn, depose and say that on the **1st day of July, 2020 at 4:16 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: **Karen Nagel as Wife** at the address of: **10 Kyle Court, Carmel, NY  
10512**, 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: 50s, Sex: F, Race/Skin Color: White, Height: 5'5", Weight: 140, Hair:  
Blonde, Glasses: N

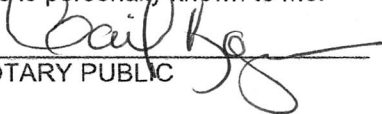
**Exhibit "A"**



**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. NO NOTARY REQUIRED PURSUANT TO F.S. 92.525(2).

Subscribed and Sworn to before me on the 7<sup>th</sup>  
day of JULY, \_\_\_\_\_ by the affiant  
who is personally known to me.

  
NOTARY PUBLIC

Gail Kagan  
Notary Public of the State of NY  
Qualified in Westchester County  
Reg # 01KA603470 Exp: Jun 23 2023



Andrew Cohen  
Process Server

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

Our Job Serial Number: RCG-2020005073  
Ref: 2450