

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 VINCE PETRALIS, JR.**

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, VINCE PETRALIS, JR. ("***Petralis, Jr.***"), for failure to plead or otherwise defend, and states:

1. On April 14, 2020, Plaintiff filed his Complaint against Petralis, Jr. (Doc. 1).
2. On July 2, 2020, Plaintiff served Petralis, Jr. with the summons and complaint. See Affidavit of Service filed on July 22, 2020 (Doc. 254), attached hereto as **Exhibit "A."**
3. Petralis, Jr. filed a Motion for Joinder to David Lipinczyk's Motion to Quash Summons and Object to Jurisdiction on July 21, 2020 (Doc. 240) which was denied by Oral Order on August 17, 2020 that directed Petralis, Jr. to file an answer to the Complaint by September 16, 2020 or be subject to entry of default (Doc. 344).

ENGLANDER FISCHER

A T T O R N E Y S

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4. As of the date of this filing, Petralis, Jr. has 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 Petralis, Jr.

September 23, 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 Vince Petralis, Jr., 5162 West Ridge Blvd, Spencerport, NY 14559.

/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 FRANK DISTASIO on the 25th day of June, 2020 at 1:18 pm to be served on **Vince Petralis, 5162 West Ridge Road, Rochester, NY 14559.**

I, FRANK DISTASIO, being duly sworn, depose and say that on the **2nd day of July, 2020 at 9:48 am, 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: **Laure Grey as Co-Occupant** at the address of: **5162 West Ridge Road, Rochester, NY 14559**, 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, they refused to state whether or not the Defendant is married.

Description of Person Served: Age: 35, Sex: F, Race/Skin Color: White, Height: 5'8", Weight: 130, 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.

Subscribed and Sworn to before me on the 10
day of July, 2020 by the affiant
who is personally known to me.


NOTARY PUBLIC

ASHLEY M. NOVAK
Notary Public, State of New York
Qualified in Monroe County
No. 01NO6267131
Commission Expires August 13, 2020



FRANK DISTASIO

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Our Job Serial Number: RCG-2020005052
Ref: 2450