### 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 TIMOTHY HUNTE

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, TIMOTHY HUNTE ("*Hunte*"), for failure to plead

or otherwise defend, and states:

1. On April 14, 2020, Plaintiff filed his Complaint against Hunte (Doc. 1).

2. On July 1, 2020, Plaintiff served Hunte with the summons and complaint. See

Affidavit of Service filed on July 16, 2020 (Doc. 204), attached hereto as Exhibit "A."

3. As of the date of this filing, Hunte 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 Hunte.

# **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 October 8, 2020.

Respectfully submitted,

ENGLANDER FISCHER

/s/ John W. Waechter JOHN W. WAECHTER Florida Bar No. 47151 Primary: jwaechter@eflegal.com Secondary: dturner@eflegal.com COURTNEY L. FERNALD Florida Bar No. 52669 Florida Bar Certified, Appellate Practice Primary: cfernald@eflegal.com Secondary: tdillon@eflegal.com BEATRIZ MCCONNELL Florida Bar No. 42119 Primary: bmcconnell@eflegal.com Secondary: tdillon@eflegal.com ALICIA GANGI Florida Bar No. 1002753 Primary: agangi@eflegal.com Secondary: tdillon@eflegal.com **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 Timothy Hunte, 2155 Rainlilly Drive, Center Valley, PA 18034.

> /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

VS

Plaintiff: BURTON W. WIAND, as Receiver for OASIS INTERNATIONAL GROUP, LTD.; OASIS



Defendant: CHRIS AND SHELLEY ARDUINI, et al.,

For: **Beatriz McConell** ENGLANDER FISCHER 721 1ST AVE NO ST PETERSBURG, FL 33701

Received by Chad Spotts on the 24th day of June, 2020 at 12:30 pm to be served on Tim Hunte d/b/a KATT Distribution, 2155 Rainlilly Drive, Center Valley, PA 18034

I, Chad Spotts, being duly sworn, depose and say that on the1st day of July, 2020 at 1:17 pm, I:

INDIVIDUALLY/PERSONALLY in accordance with F.S. 48.031 served by delivering a true copy of the SUMMONS IN A CIVIL ACTION, COMPLAINT, CIVIL COVER SHEET and EXHIBITS AD (SERVED EXHIBITS VIA CD) with the date and hour of service endorsed thereon by me, to: Tim Hunte at the address of: 2155 Rainlilly Drive, Center Valley, PA 18034, and informed said person of the contents therein, in compliance with state statutes.

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: 45, Sex: M, Race/Skin Color: Black, Height: 5'8", Weight: 180, Hair: Black, Glasses: -

If a description of the party served is provided, please note all information provided is approximate.F.S. 48.021(1)(Services of Summons and Criminal Subpoenas) I certify that I am over the age of 18, have no interest in the above action, and am a Certified/Special/Appointed Process Server or authorized to serve process in the judicial circuit, county, or state where service was effectuated. F.S. 92.525 Under penalties of perjury, I declare that I have read the foregoing affidavit/proof of service and that the facts stated in it are true. (No Notary Required) (Services of subpoenas F.S. 48.021(1) (Rule 1.410) I am over the age of 18, and am not a party to nor interested in the outcome of the above styled case. I have personal knowledge of the facts and statements contained in this affidavit and each is true and correct. (Out of State/Foreign Process in accordance with F.S. 48.194 by any person authorized to server process in the state where the person or entity is served) Notary Required.

Commonwealth of Pennsylvania - Notary Seal John F. Shinkowsky, Notary Public Dauphin County My commission expires September 28, 2022 Commission number 1151303

Subscribed and Sworn to before me on the 14th day of July , Jofo by the individual effectuating/ attempted service, who is personally known to me, by means of <u>X</u> physical presence or \_\_\_\_\_ online notarization.

NOTARY PUBLIC

**Chad Spotts** 

TRGT Legal PO Box 1066 Pinellas Park, FL 33781 (888) 642-0130

Our Job Serial Number: RCG-2020005082 Ref: 2450

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## Exhibit "A"

