

**IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY,
FLORIDA**

CASE NO.: 12-034121 (07)

P & S ASSOCIATES, GENERAL
PARTNERSHIP, a Florida limited
partnership; and S&P ASSOCIATES,
GENERAL PARTNERSHIP, a Florida
limited partnership, *et al.*,

Plaintiffs,

v.

JANET A. HOOKER CHARITABLE
TRUST, a charitable trust, *et al.*,

Defendants.

_____ /

**PLAINTIFFS' MOTION FOR CLERK'S ENTRY OF
DEFAULT AS TO DEFENDANT JANET A. HOOKER CHARITABLE TRUST**

Plaintiffs, P & S Associates, General Partnership ("P&S"), and S & P Associates, General Partnership ("S&P") (collectively and individually referred to as, the "Partnerships") and Phillip Von Kahle, as Conservator of P&S and S&P (collectively with the Partnerships, the "Plaintiffs"), by and through their undersigned counsel, move for entry of a default by the Clerk against Defendant, Janet A. Hooker Charitable Trust (the "Defendant"), for failure to appear, answer or otherwise plead to Plaintiffs' Complaint.

As reflected by the Verified Return of Service filed with the Clerk, a copy of which is attached hereto as Exhibit A, Defendant was served with the Complaint on December 27, 2013. Pursuant to Fla. R. Civ. P. 1.140, the period for filing papers with

this Court has expired and therefore, Plaintiffs are hereby entitled to a default against Defendant, Janet A. Hooker Charitable Trust.

Respectfully submitted,

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Florida Bar No. 98581

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via Electronic Mail upon counsel identified below registered to receive electronic notifications this 5th day of February, 2014, upon the following:

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By: s/ Leonard K. Samuels
Leonard K. Samuels

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Defendants.

_____ /

DEFAULT

Default is hereby entered in this action against the Defendant, JANET A. HOOKER CHARITABLE TRUST, as named in the foregoing Plaintiffs' Motion for Clerk's Entry of Default as to Defendant, Janet A. Hooker Charitable Trust, for failure of said Defendant to serve or file an answer or responsive paper as required by law.

Dated on _____

HOWARD C. FORMAN
As Clerk of the Court

By: _____
As Deputy Clerk
Broward County, Florida
(Court Seal)

Copies Furnished to:
Leonard K. Samuels, Esq.

VERIFIED RETURN OF SERVICE

State of Florida

County of Broward

Circuit Court

Case Number: 12-34121 (07)

Plaintiff:

MARGARET SMITH, ET AL

vs.

Defendant:

JANET A. HOOKER CHARITABLE TRUST, ET AL

For:

Leonard K. Samuels, Esq.
BERGER SINGERMAN
350 E. Las Olas Blvd.
Suite 1000
Ft Lauderdale, FL 33301

Received by LEGAL PROCESS SERVICE & INVESTIGATIONS, LLC on the 23rd day of December, 2013 at 2:30 pm to be served on JANET A. HOOKER CHARITABLE TRUST, 1600 MARKET STREET, PHILADELPHIA, PA 19103.

I, Mike Battaglia, do hereby affirm that on the 27th day of December, 2013 at 12:33 pm, I:

SUBSTITUTE served by delivering a true copy of the SUMMONS AND COMPLAINT WITH EXHIBITS with the date and hour of service endorsed thereon by me, to: JAIN SAWICKIJ as AUTHORIZED AGENT, a person employed therein and authorized to accept service for JANET A. HOOKER CHARITABLE TRUST at the address of: 1600 MARKET STREET, PHILADELPHIA, PA 19103, the within named person's usual place of Work, in compliance with State Statutes.

I do hereby certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was served. Under penalty of perjury I declare that the facts contained herein are true and correct. NO NOTARY REQUIRED PURSUANT TO F.S. 92.525(S)



Sworn to and subscribed before me
this 31 day of DEC 2013.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
DIETER E. NEWMAN, Notary Public
City of Philadelphia, Phila. County
My Commission Expires December 2, 2017



Mike Battaglia
Process Server

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Miami, FL 33173
(305) 412-1178
Our Job Serial Number: LIM-2013002747