

**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 JULIANNE M. JONES**

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, Julianne M. Jones (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 July 20, 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,
Julianne M. Jones.

Respectfully submitted,

BERGER SINGERMANN LLP
Attorneys for Plaintiff
350 East Las Olas Blvd, Suite 1000
Fort Lauderdale, FL 33301
Telephone: (954) 525-9900
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By: s/ Leonard K. Samuels
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Florida Bar No. 720852
Steven D. Weber
Florida Bar No. 47543
Zachary P. Hyman, Esq.
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 this 5th day of February, 2014, upon the following:

Counsel	E-mail Address:
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By: s/ Leonard K. Samuels
Leonard K. Samuels

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT, IN AND
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CASE NO.: 12-034121 (07)

P &S ASSOCIATES, GENERAL
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Plaintiffs,

v.

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

Defendants.

_____ /

DEFAULT

Default is hereby entered in this action against the Defendant, JULIANNE M. JONES, as named in the foregoing Plaintiffs' Motion for Clerk's Entry of Default as to Defendant, Julianne M. Jones, 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.

AFFIDAVIT OF SERVICE

Index #: 12-34121(07)

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

Date Filed: _____

Court Date: _____

Assigned Justice: _____

ATTORNEY(S) : PH:
ADDRESS: File No.: 61821

MARGARET SMITH ET AL

VS.

Plaintiff

JANET A HOOKER CHARITABLE TRUST ET AL

Defendant

STATE OF NEW YORK , COUNTY OF SUFFOLK SS.:
MICHAEL DELCORE, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years
of age and resides in New York State. On Saturday, July 20, 2013 at 4:15 PM
at 42 MECHANIC STREET , HUNTINGTON , NY 11743 deponent served the within

ALIAS SUMMONS AND COMPLAINT

on: JULIANNE M. JONES

Defendant therein named.

#1 SUITABLE AGE PERSON By delivering a true copy of each to JOHN DOE , CO-TENANT a person of suitable age and discretion.
Said premises is recipient's: [] actual place of business [X] dwelling house (usual place of abode) within the state.

#2 MAIL COPY On 7/25/2013, deponent completed service by depositing a true copy of each document to the
the above address in a 1st Class postpaid properly addressed envelope not indicating that mailing was from an attorney or concerned legal
action and marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post
Office in the State of New York. Certified Mail #:

#3 DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Male Color of skin: White Color of hair: Brown Age: 56 Height: 5ft4in-5ft8in
Weight: 161-200 lbs Other Features: _____

#4 WIT. FEES \$ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#5 MILITARYSRVC Your deponent asked person spoken to whether the defendant was in the active military service of the United States or N. Y. State and
received a negative reply. Upon information and belief I have; being based on the conversation and observations above narrated, defendant
is not in the military service.

#6 OTHER

Sworn to before me on 7/25/2013

SUSAN CORTINA

Notary Public, State of New York
No. 01CO6047509, Qualified in Suffolk County
Term Expires September 5, 2014



MICHAEL DELCORE

Server's Lic #

InvoiceWorkOrder 2029936

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

MARGARET SMITH, et al.,

Case No. 12-34121(07)
Complex Litigation Unit

Plaintiffs,

vs.

JANET A. HOOKER CHARITABLE TRUST, et al.,

Defendants.

ALIAS SUMMONS

The State of Florida:
To Each Sheriff of the State:

YOU ARE HEREBY COMMANDED to serve this Summons and a copy of the Complaint in this action on Defendant:

Julianne M. Jones
1817 SE Deming Avenue
Port St. Lucie, FL 34952-4928

SBS
7-20-13 4:15 PM
Michael Delcore

Each defendant is required to serve written defenses to the Complaint on the attorneys for Philip J. Von Kahle, the Conservator of the P & S Associates, General Partnership and the S & P Associates, General Partnership ("Plaintiff's Attorney"), to wit, whose address is:

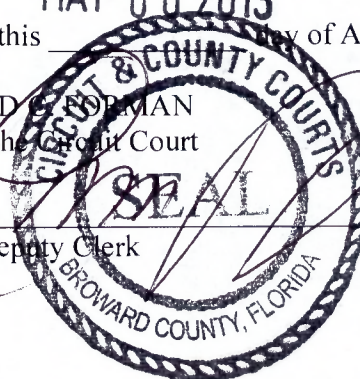
Thomas M. Messana, Esq.
Messana, P.A.
401 East Las Olas Boulevard, Suite 1400
Fort Lauderdale, Florida 33301
954-712-7400

within **twenty (20) days** after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the Clerk of this Court either before service of the Plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the complaint or petition.

WITNESS my hand and the seal of said Court this _____ day of April, 2013.

HOWARD ...
Clerk of the Circuit Court

By: _____
Deputy Clerk



CROSS COUNTY 954.963.7751



CCIS@BELLSOUTH.NET

IMPORTANT

A lawsuit has been filed against you. You have twenty (20) calendar days after this Summons is served on you to file a written response to the attached Complaint with the Clerk of this Court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken without further warning from the are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the court you must also mail or take a copy of your written response to the "plaintiff's attorney" named herein.

IMPORTANTE

Usted ha sido demandado legalmente. Tiene 20 Dias, contados a partir del recibo de esta notificacion, para contestar la demanda adjunta. por escrito, y presentarla ante este tribunal. Una llamada telefonica no lo protegera. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito. incluyendo el numero del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, podiese perder el caso y podria ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guia telefonica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, debera usted enviar por correo o entregar una copia de su respuesta a la personal denominada abajo como "Plaintiff/Plaintiff's Attorney" (Demandante o Abogado del Demandante).

IMPORTANT

Des poursuites judiciaires ont ete entreprises contre vous. Vous avez 20 jours consecutifs a partir de la date de l'assignation de cette citation pour deposer une reponse ecrite a la plainte ci-jointe aupres de ce tribunal. Un simple coup de telephone est insuffisant pour vous proteger. Vous etes oblige de deposer votre reponse ecrite, avec mention du numero de dossier ci-dessus et du nom des parties nommees ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne deposez pas votre reponse ecrite dans le delai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent etre saisis par la suite, sans aucun preavis ulterieur du tribunal. Il y a d'autre obligations juridiques et vous pouvez requerir les services immediats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez telephoner a un service de reference d'avocats ou a un bureau d'assistance juridique (figurant a l'annuaire de telephones).

Si vous choisissez de deposer vous-meme une reponse ecrite, il vous faudra egalement, en meme temps que cette formalite, faire parvenir ou expedier une copie de votre reponse ecrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou a son avocat) nomme ci-dessous.