

**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 LISA RYAN**

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, Lisa Ryan (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 23, 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, Lisa Ryan.

Respectfully submitted,

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Telephone: (954) 525-9900
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By: s/ Leonard K. Samuels
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Florida Bar No. 720852
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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 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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v.

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

Defendants.

_____ /

DEFAULT

Default is hereby entered in this action against the Defendant, LISA RYAN, as named in the foregoing Plaintiffs' Motion for Clerk's Entry of Default as to Defendant, Lisa Ryan, 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 Process Server

SEVENTEENTH JUDICIAL CIRCUIT FOR BROWARD COUNTY, FLORIDA

(NAME OF COURT)

MARGARET SMITH vs JANET A. HOOKER CHARITABLE TRUST 12-34121(07)
PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT CASE NUMBER

I JIM FLEMING, being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served LISA RYAN
NAME OF PERSON / ENTITY BEING SERVED

with (list documents) ALIAS SUMMONS, COMPLAINT, EXHIBITS

by leaving with SHELLY KAMINER-SISTER(ACCEPTED FOR LISA RYAN, DECEASED) At

Residence 26084 HENDRIE BLVD., HUNTINGTON WOODS, MI 48070
Business ADDRESS CITY / STATE

On 6-28-13 AT 12:15 PM
DATE TIME

Inquired if subject was a member of the U.S. Military and was informed they are not.

Thereafter copies of the documents were mailed by prepaid, first class mail on DATE
from CITY STATE ZIP

Manner of Service:

- Personal: By personally delivering copies to the person being served.
Substituted at Residence: By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of 18 YRS. and explaining the general nature of the papers.
Substituted at Business: By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.
Posting: By posting copies in a conspicuous manner to the front door of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

- Unknown at Address Moved, Left no Forwarding Service Cancelled by Litigant Unable to Serve in Timely Fashion
Address Does Not Exist Other

Service Attempts: Service was attempted on: (1) DATE TIME (2) DATE TIME (3) DATE TIME (4) DATE TIME (5) DATE TIME

Description: Age 50 Sex F Race W Height 5'5" Weight 130 Hair BRN Beard Glasses

SIGNATURE OF PROCESS SERVER

SUBSCRIBED AND SWORN to before me this 16TH day of JULY, 2013, by JIM FLEMING. Proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

SIGNATURE OF NOTARY PUBLIC KEVIN MORRIS

NOTARY PUBLIC for the State of NOTARY PUBLIC - STATE OF MI COUNTY OF OAKLAND My Commission Expires May 1, 2017 Acting in the County of Oakland



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:

Lisa Ryan - deceased
26084 Hendrie Boulevard
Huntington Woods, MI 48070-1243

SBS SELLY KAMINER-SITOL
6-28-13 12:15PM
JIM FLEMING

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:

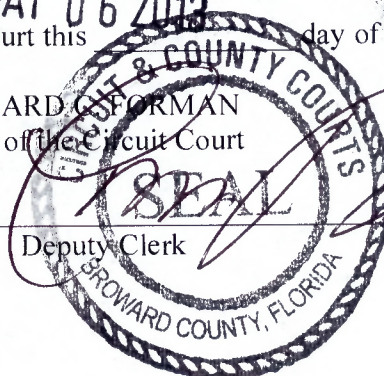
Thomas M. Messana, Esq.
Messana, P.A.
401 East Las Olas Boulevard, Suite 1400
Fort Lauderdale, Florida 33301
954-712-7400

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 **MAY 06 2013** day of April, 2013.

HOWARD C. PERFORMAN
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 relai 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.