

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

THISTLE COMMUNICATIONS,
LLC,

Plaintiff,

v.

Case No.: 2:18-cv-679-KCD

E-1 MACHINE, LLC,

Defendant/Third Party
Plaintiff

E-1 MACHINE, LLC, EVENT
MACHINE INC. and STEPHEN
SHOLL,

Third Party Defendants

_____ /

ORDER

Plaintiff Thistle Communications, LLC's has filed two notices under Fla. Stat. § 56.29. (Doc. 78, Doc. 79.) Upon review, the Court finds both meet the statutory requirements. (*See* Doc. 76.) Signed copies of the notices are attached to this order. Plaintiff must notify the Court of the date the notices are served, as the time to respond is dictated by the service date.

ORDERED in Fort Myers, Florida this February 14, 2023.



Kyle C. Dudek
United States Magistrate Judge

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

THISTLE COMMUNICATIONS,
LLC,

Plaintiff,

v.

Case No.: 2:18-cv-679-KCD

E-1 MACHINE, LLC,

Defendant/Third Party
Plaintiff

E-1 MACHINE, LLC, EVENT
MACHINE INC. and STEPHEN
SHOLL,

Third Party Defendants

_____ /

NOTICE TO APPEAR

TO: EVENT MACHINE, INC.

YOU ARE NOTIFIED that, pursuant to Fed. R. Civ. P. 69 and section 56.29, Florida Statutes, proceedings supplementary to satisfy a judgment by application of the following: funds in Event Machine, Inc.'s bank accounts at Truist bank f/k/a SunTrust bank, including those ending in #5963 and #3572, in Lee County, Florida have been initiated against you by Thistle Communications, LLC. You are required to serve an affidavit within 14 days of service of this document stating that the property belongs to you. The affidavit must include any fact or legal defense opposing the application of the property toward the satisfaction of the judgment on Brian D. Fell, Esq., Chase Law & Associates, P.A., 1141 71st Street, Miami Beach, FL 33141. You must file the original affidavit with the clerk of this court either before service on the judgment creditor or immediately thereafter. Legal defenses need not be filed under oath but must be served contemporaneously with the affidavit.

If any of your property has been levied on and you choose to oppose the application of the property to be applied toward the satisfaction of the judgment, then you must furnish a bond with surety to be approved by the officer in favor of the judgment creditor. The amount of the bond must be double the value of the goods claimed as the value is fixed by the officer and conditioned to deliver said property on demand of said officer if it is adjudged to be the property of the judgment debtor and to pay the judgment creditor all damages found against you if it appears that the claim was interposed for the purpose of delay.

YOU HAVE A RIGHT TO A TRIAL BY JURY TO DETERMINE THE RIGHT TO THE PROPERTY. YOU ARE ENTITLED TO DISCOVERY UNDER THE FLORIDA RULES OF CIVIL PROCEDURE. IF THE COURT OR JURY DETERMINES THAT THE PROPERTY BELONGS TO THE JUDGMENT DEBTOR AND IS SUBJECT TO APPLICATION TOWARD THE SATISFACTION OF ITS JUDGMENT, THEN YOU MAY BE ORDERED TO PAY DAMAGES TO THE JUDGMENT CREDITOR OR SURRENDER THE PROPERTY TO THE JUDGMENT CREDITOR.

DONE and ORDERED in Fort Myers, Florida on February 14, 2023.



Kyle C. Dudek
United States Magistrate Judge

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

THISTLE COMMUNICATIONS,
LLC,

Plaintiff,

v.

Case No.: 2:18-cv-679-KCD

E-1 MACHINE, LLC,

Defendant/Third Party
Plaintiff

E-1 MACHINE, LLC, EVENT
MACHINE INC. and STEPHEN
SHOLL,

Third Party Defendants

_____ /

NOTICE TO APPEAR

TO: STEPHEN SHOLL

YOU ARE NOTIFIED that, pursuant to Fed. R. Civ. P. 69 and section 56.29, Florida Statutes, proceedings supplementary to satisfy a judgment by application of the following: the real property located at 1795 Lavonia Ln, North Fort Myers, FL 33917, in Lee County, Florida have been initiated against you by Thistle Communications, LLC. You are required to serve an affidavit by 14 days of service of this document stating that the property belongs to you. The affidavit must include any fact or legal defense opposing the application of the property toward the satisfaction of the judgment on Brian D. Fell, Esq., Chase Law & Associates, P.A., 1141 71st Street, Miami Beach, FL 33141. You must file the original affidavit with the clerk of this court either before service on the judgment creditor or immediately thereafter. Legal defenses need not be filed under oath but must be served contemporaneously with the affidavit.

If any of your property has been levied on and you choose to oppose the application of the property to be applied toward the satisfaction of the judgment, then you must furnish a bond with surety to be approved by the officer in favor of the judgment creditor. The amount of the bond must be double the value of the goods claimed as the value is fixed by the officer and conditioned to deliver said property on demand of said officer if it is adjudged to be the property of the judgment debtor and to pay the judgment creditor all damages found against you if it appears that the claim was interposed for the purpose of delay.

YOU HAVE A RIGHT TO A TRIAL BY JURY TO DETERMINE THE RIGHT TO THE PROPERTY. YOU ARE ENTITLED TO DISCOVERY UNDER THE FLORIDA RULES OF CIVIL PROCEDURE. IF THE COURT OR JURY DETERMINES THAT THE PROPERTY BELONGS TO THE JUDGMENT DEBTOR AND IS SUBJECT TO APPLICATION TOWARD THE SATISFACTION OF ITS JUDGMENT, THEN YOU MAY BE ORDERED TO PAY DAMAGES TO THE JUDGMENT CREDITOR OR SURRENDER THE PROPERTY TO THE JUDGMENT CREDITOR.

DONE and ORDERED in Fort Myers, Florida on February 14, 2023.



Kyle C. Dudek
United States Magistrate Judge